

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1933 of 2018

Arising Out of PS.Case No. -271 Year- 2017 Thana -PUPRI District- SITAMARHI

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Jitan Mukhia, Son of Ramchandra Mukhia, Resident of Village-Parsauni, P.S.-
Pupri, District-Sitamarhi.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Virendra Kumar, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-05-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned 1st A.D.J.-cum-Special Judge, Sitamarhi in Pupri P.S. Case No. 271 of 2017 registered under Sections 147, 148, 149, 341, 323, 307, 504, 436 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.

There is no allegation against the appellant of commission of any injury to anyone. The allegation of commission of abuse and assault is general and omnibus against 8 persons named in the FIR.

Learned Special Public Prosecutor has opposed the



prayer for bail.

Considering the aforesaid fact, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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