

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1899 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -CHAKAMHESI District- SAMASTIPUR

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1. Ram Gulam Mahto, son of Late Eshwar Mahto @ Esar Mahto
 2. Bablu Mahto @ Bablu Kumar, son of Ram Gulam Mahto
 3. Hema Kumari, daughter of Ram Gulam Mahto
 4. Reeta Devi, wife of Ram Gulam Mahto
 5. Raj Kumar Mahto @ Raj Kumar, son of Ram Swarath Mahto
 6. Vikash Kumar @ Vikas Kumar, son of Ram Swarath Mahto All residents of village Gorai, P.S. Chakmehsi, District Samastipur
- Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017 Heard learned counsel for the appellants and learned
Special P.P.

This appeal has been filed for setting aside the order the order dated 18.2.2017 passed in A.B.P. No. 2194 of 2016 by Additional Sessions Judge-I-cum-Special Judge, Samastipur, arising out of Chakmehsi P.S.Case No. 98 of 2016 registered for the offences under Sections 447, 147, 149, 341, 323, 324, 307, 354B, 379, 504, 506 of the Indian Penal Code and 3(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of pre-arrest bail to the appellants.

Allegation against the appellants as per FIR is that they have assaulted the informant and abused him by taking his caste name.

It has been submitted on behalf of the appellants that



there is case and counter case between the parties and in order to grab land of the appellant informant has filed the false and concocted case. It has further been submitted that no specific allegation is attributed to appellants Nos. 3, 4 and 6.

Learned Special P.P. has opposed the prayer for pre-arrest bail of the appellants.

Having heard both sides and considering the facts and circumstances, let appellants Nos. 3, 4 & 6 appear before the court below and pray for regular bail and the court below will consider their prayer for bail on the basis of submission made above specially on the ground that appellants Nos. 3 & 4 are ladies and pass an appropriate order.

So far prayer for pre-arrest bail of appellants Nos. 1, 2 and 5 is concerned, there is specific allegation against them and their prayer is rejected. However, they should surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order, without being prejudiced by this order.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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