

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2074 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Ranjeet Mahto,
2. Khushilal Mahto, Both Sons of Ram Khelawan Mahto, R/o Village-
Bibhutipur, P.S.- Bibhutipur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Kumar Pandey

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-07-2017 This appeal is for grant of bail in connection with

Bibhutipur P.S. Case No. 95 of 2017 registered for the offences

punishable under sections 147, 148, 447, 448, 341, 323, 325, 452,

354, 379, 380 of the Indian Penal Code and sections 3 (1) (R) (S)

(W) of the SC/ST Act and sections 3/ 4 of the Dyan Act.

Allegation, as per the FIR, is that appellants have

abused the informant by taking his caste name and also assaulted

him and torn the sari of his mother.

Submission of the learned counsel for the appellants

there is case and counter case between the parties and as a matter

of fact, son of the informant had tried to outrage the modesty of

the daughter of the co-accused and for that, a case has been filed

earlier. Further submission is that no case is made out of section 3



(1) (R) (S) (W) of the SC/ST Act and the FIR itself shows that the occurrence took place in the house of the informant.

Heard Special Public Prosecutor also.

Having heard both sides and in view of the fact and circumstances as stated above, this appeal is allowed and impugned order is set aside.

Let the petitioner, above named, in the event of arrest or surrender before the court below within a period of four weeks, be enlarged on bail on their furnishing bail bond of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge, Samastipur in connection with Bibhutipur P.S. Case No. 95 of 2017, subject to the condition as laid down under Section 438 (2) Cr. P.C.

(Vinod Kumar Sinha, J)

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