

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.267 of 2018

Arising Out of PS.Case No. -18 Year- 2013 Thana -SC/ST District- SEKHPURA

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1. Umesh Prasad
 2. Nand Lal Mahton @ Nand Lal
 3. Awadh Mahton @ Awadh Prasad
 4. Awadhesh Mahton, All Sons of Pitambar Mahton,
 5. Jalo Mahton @ Janandan Mahto
 6. Sonu Mahton @ Sonu Kumar, Both Sons of Shital Mahto, All r/o vill. +
P.S. Korma, Disst. Sheikhpura

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-04-2018

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 Additional Sessions Judge, Sheikhpura in S.C./S.T. Case No. 83 of 2017 arising out of Sheikhpura S.C./S.T. P.S. Case No. 18 of 2013 registered under Sections 147, 148, 323, 504, 506 of the Indian Penal Code as well as Section 3(i)(iv)(x) of the SC/ST Act.

It appears that for land dispute, there is general and



omnibus allegation against the appellants of commission of abuse by taking caste name of the informant and of commission of assault.

Considering the background and nature of allegation, let the appellants, above named, in the event of their 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 bonds of Rs.20,000/- (rupees twenty thousand) each 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 appellants 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 appellants.

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

(Birendra Kumar, J)

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