

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3340 of 2017

Arising Out of PS.Case No. -30 Year- 2016 Thana -SC/ST District- JAMUI

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1. Rajesh Prasad @ Pappu Mahto, Son of Late Bhagirath Prasad,
Resident of Village- Ramsagar, P.S.- Sikandra, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Mahto, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-01-2018 This is an appeal under Section 14(A)(2) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I-Special Judge (S.C./S.T. Act), Jamui, in Jamui SC/ST Police Station Case No.30 of 2016 registered under Sections 448/323/504/506/34 of the Indian Penal Code and Section 3(i)(x)(iv)(v) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act, 1989.

Submission is that a civil suit is going on between the parties. There is land dispute which would be evident from the F.I.R. also.

Submission is that considering the background of the allegation and nature of statement in the F.I.R. it does not appear



that the appellants abused to the informant with intent to humiliate a member of the schedule caste society or the occurrence allegedly took place in public view.

Considering the aforesaid fact, 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/- (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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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