

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3190 of 2018

Arising Out of PS.Case No. -150 Year- 2017 Thana -KESARIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Sheonath Mahto, Son of Shanti Mahto,
2. Bhim Mahto, Son of Sheonath Mahto Both are resident of Village- Rampur
Kodar, Police Station- Kesharia, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-09-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 19.07.2018 in A.B.P. No.1889 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, East Champaran, Motihari in connection with Kesharia P.S.Case No. 150 of 2017 registered under Sections 341,323,324,325,326,307,379/34 of the Indian Penal Code as well as under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

It appears that similarly situated co-accused-Dipak



Kumar has already been allowed anticipatory bail by this Court in Cr.Appeal (SJ) No.3347 of 2017 while refusing prayer for anticipatory bail to co-accused- Arjun Mahto.

Hence, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant 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 appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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