

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.964 of 2018

Arising Out of PS.Case No. -273 Year- 2017 Thana -KHIJARSARAI District- GAYA

- =====
1. Ujjain Mahto @ Ujjain Kumar Son of Vishwanath Mahto
 2. Parshuram Mahto @ Parshuram Singh Son of late Shyamlal Mahto @ late Shyam Lal Singh
 3. Pappu Kumar Son of Parshuram Singh @ Parshuram Mahto.
- All Resident of Village- Mahmadpur, P.S. Khizarsarai, District- Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Saxena, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-06-2018

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 against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T. Act), Gaya, in connection with Khizarsarai Police Station Case No.273 of 2017 registered under Sections 341/323/325/307/379/504/34 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For land dispute there is allegation of commission of abuse and assault by taking caste name.



Submission is that there is case and counter case. The appellants' side has also sustained grievous injury in the occurrence.

Learned counsel for the informant opposed the prayer for bail.

Considering the background and general and omnibus nature of allegation against the appellants, 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 impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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