

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2457 of 2018

Arising Out of PS.Case No. -13 Year- 2018 Thana -SC/ST District- SEKHPURA

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1. Gopal Mahto, Son of Ramdeo Mahto,
 2. Ajay Mahto @ Ajay Kumar, Son of Ramdeo Mahto,
 3. Vijay Mahto @ Vijay Kumar, Son of Ramdeo Mahto,
 4. Shankar Mahto, Son of Late Sham Mahto, All resident of Village- Surdapur,
P.S.- Sheikhpura, District- Sheikhpura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 vide order dated 26.06.2018 passed by the learned 1st Additional Sessions Judge, Sheikhpura, in A.B.P. No.315 of 2018, arising out of Sheikhpura SC/ST Police Station Case No.13 of 2018, registered under Sections 147/341/323/504/506/447 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(va)/3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case. The offences alleged



under the Indian Penal Code are mostlyailable. The allegation is general and omnibus. The appellants have stated on oath that they have got no criminal antecedent.

Considering the aforesaid facts, 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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