

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1008 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -ATHMALGOLA District- PATNA

=====

1. Kamlesh Mahto, Son of Krishna Mahto,
2. Fazo Mahto, son of Kamlesh Mahto,
3. Tarani Mahto, son of Late Nago Mahto,
4. Binod Mahto @ Binod Kumar, Son of Kamlesh Mahto.
5. Sunil Mahto, Son of Razo Mahto, All resident of Village- Saristapur,
P.S. Athmalgola, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Ashok Kumar Kashyap, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

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 the learned Special Judge, SC/ST-cum-Additional Sessions Judge-V, Patna in connection with Athmalgola P.S.Case No. 203 of 2017 registered under Sections 341, 323, 324, 506 of the Indian Penal Code as well as under Sections 3(1)(W) of the Scheduled Castes and Scheduled Tribes Act.

There is general and omnibus allegation of commission of assault for dispute relating to putting the firewood on the public land.



Considering the aforesaid 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each 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 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

