

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3513 of 2018

Arising Out of PS. Case No.-168 Year-2018 Thana- PANCHRUKHI District- Siwan

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1. Munna Kumar Mahto, Son of Lakhan Mahto,
 2. Madan Ram, Son of Doma Ram,
 3. Doma Ram, Son of Late Ganga Ram, All 1 to 3 are resident of Village- Mandrapali, P.S.- Pachrukhi, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwary, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

Heard learned counsel for the parties.

Appellant Munna Kumar Mahto has been arrested. Hence, his prayer for anticipatory bail is infructuous now.

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 25.08.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Siwan, in A.B.P. No.1377 of 2018, arising out of Pachrukhi Police Station Case No. 168 of 2018, registered under Sections 341/323/307/504/506/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation against other



appellants, who are also members of the Scheduled Caste, to have committed abuse and assault for the reason that informant had interfered in the quarrel between Mangaldeep Ram and Pradeep Ram.

Considering the background and 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 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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