

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3992 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- MAINATAND District- West Champaran

1. Ashok Mahto @ Ashog Mahto S/o Vishwanath Mahto
2. Kedar Mahto S/o Late Dwarika Mahto
3. Prakash Chaudhary @ Prakash Mahto S/o Late Shakar Mahto
4. Radha Kishun Mahto S/o Late Dwarika Mahto, All are R/o
Village-Langadi Bharwaliya, P.S. Mainatand, Distt.-West
Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 24.08.2018 passed by the learned Additional Session Judge 1st-cum-Special Judge, Bettiah, West Champaran in A.B.P. No.1116 of 2018, arising out of Mainatand Police Station Case No. 55 of 2018, registered under Sections 341/323/447/504 of the Indian Penal Code and Sections 3(i) (e)/3 (i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For trivial dispute there is general and omnibus allegation of commission of abuse and assault against the



appellants. There is case and counter case. 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.

Mkr./-

(Birendra Kumar, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.12.2018
Transmission Date	18.12.2018

