

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1107 of 2018

Arising Out of PS. Case No.-16 Year-2015 Thana- SC/ST District- Madhubani

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1. Dhrub Narayan Mahto @ Dhrub Narayan Sah @ Dhrub Narayan Sahani, S/o Late Satya Narayan Mahto, R/o Village- Nandarhi,
 2. Hari Narayan Sahani S/o Late Shrawan Sahani,
 3. Suresh Sahani @ Suresh Shani,
 4. Ramesh Sahani @ Ramesh Prasad Sahani,
 5. Chhotu Sahani @ Chhotu Kumar Sahani, Serial No.3 to 5 Sons of Hari Narayan Sahani , R/o Vill.- Dalokhar ..., P.S.- Ladania, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bimal Kumar
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-07-2018 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 11.01.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Madhubani in A.B.P. No.1023 of 2017, arising out of Madhubani SC/ST Police Station Case No.16 of 2015 registered under Sections 147, 149, 341, 323, 504 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act.

The informant is a PDS dealer and wife of the informant is a councilor. Allegation is that the appellants allegedly abused as they were asking to withdraw the case lodged against the local *Mukhiya*.

Submission is that false and concocted allegation is there just to pressurize as the appellants were ventilating the grievance of the villagers against the PDS dealer for not supplying the goods to the consumers in time and in proper quantity.

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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the



appellants.

Accordingly, the impugned order is set aside and the
appeal stands allowed.

(Birendra Kumar, J)

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