

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1130 of 2018

Arising Out of PS.Case No. -71 Year- 2017 Thana -GWALPARA District- MADHEPURA

- =====
1. Deonandan Mahto @ Devnandan Mahto S/o-Late Pannalal Mahto, Resident of Village-Beergaon, Tola- Beldari, P.S. Gwalpara, District-Madhepura, Presently Resident at Village-Prashadpur, P.S.-Krityanand Nagar, District-Purnea.
 2. Shushila Devi, W/o Mangal Mahto, Resident of Village- Beergaon, Tola- Beldari, P.S. Gwalpara, District-Madhepura.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nafisuzzoha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to as the “S.C./S.T. Act”) against the refusal of prayer for anticipatory bail vide order dated 16.01.2018 passed in A.B.P. No.22 of 2018, by the learned Special Judge S.C./S.T. Act-cum-A.D.J.-1st, Madhepura, in connection with Gwalpara (Arar O.P) P.S. Case No.71 of 2017, registered under Section 302/34 of the Indian Penal Code and Section 3(I) (X) (XI) of the S.C./S.T. Act.

Appellant No.2, Sushila Devi has already been arrested.

Hence her prayer for anticipatory bail has now become infructuous.



The F.I.R. named accused including appellant No.1 Deonandan Mahto @ Devnandan Mahto allegedly assaulted to the informant and to Upendra Rishideo with different weapons, as a result whereof Upendra Rishideo died during course of treatment. The Doctor has found multiple external and internal injuries on the body of the deceased.

Submission is that the allegation is general and omnibus.

Considering the nature of allegation, which is supported by other witnesses, I am not inclined to enlarge, above named, appellant - Deonandan Mahto @ Devnandan Mahto on anticipatory bail.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

