

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2641 of 2018

Arising Out of PS. Case No.-304 Year-2017 Thana- BAKHARI District- Begusarai

Suresh Mahto, Son of Sonelal Mahto, Resident of Village- Kothiara, P.S.-
Bakhri, District- Begusarai.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sandip Kumar Gautam
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 25-09-2018

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) Amendment Act, 2015 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 06.06.2018 passed by the learned Special Judge S.C./S.T. Act (POA) Act, Begusarai in A.B.P. No.554 of 2018, arising out of Bakhri Police Station Case No.304 of 2017 registered under Sections 147, 148, 149, 341, 323, 504, 506, 509, 354B, 307, 379 of the Indian Penal Code as well as Section 27 of the Arms Act and Section 3 (i)(x)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The allegation is general and omnibus. Land dispute is the reason behind the allegation.



Learned counsel for the appellant has substantiated the aforesaid fact by filing supplementary affidavit. The appellant has got no criminal antecedent.

Hence, let the appellant, above named, in the event of his 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 bond of Rs.20,000/- (Rupees Twenty Thousand) 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 appellant shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

