

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.488 of 2019**

Arising Out of PS. Case No.-96 Year-2018 Thana- MANSAHI District- Katihar

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1. Filtu Mandal @ Paltu Mandal @ Pintu Mandal, s/o-Late Birju Mandal
 2. Pinku Mandal s/o- Satnarayan Mandal
 3. Mukesh Mandal @ Mukesh Patel s/o- Bateshwar Mandal
 4. Anil Kumar @ Anil Mandal
 5. Mithun Mandal @ Mithan Mandal
 6. Manoj Mandal

Sl. Nos. 4-6 are sons of Filtu Mandal @ Paltu Mandal @ Pintu Mandal

7. Satyanarayan Mandal s/o-Late Birju Mandal

All residents of Village- Fulshara, Police Station- Mansahi, District- Katihar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rajendra Prasad Sah
For the Respondent/s	:	Mrs.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 07-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 20.12.2018 passed by the learned 1st Addl. District and Sessions Judge-cum-Special Judge, Katihar in ABP No. 127 of 2018 arising out of Mansahi P.S.Case No. 96 of 2018 registered under Sections 147, 148,149,323, 342, 382, 427 and 120B of the Indian penal Code and Sections 3(i)(iii)(iv)(v)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they variously



armed with came at the land of the informant and abused and assaulted him .

Submission of learned counsel for the appellants is that FIR itself shows that there is land dispute and no specific allegation has been attributed against any of the appellants.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the 1st Addl. District and Sessions Judge-cum-Special Judge, Katihar in ABP No. 127 of 2018 arising out of Mansahi P.S.Case No. 96 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

