

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.429 of 2019

Arising Out of PS. Case No.-260 Year-2016 Thana- LALGANJ District- Vaishali

1.Rooplal Mahto son of Tapi Mahto
2. Mantu Kumar Mahto son of Rooplal mahto
Both resident of village Kunwari, P.S. Lalganj District Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rabindra Kumar Priyadarshi
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 06-02-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 12.12.2018 10.12.2018 passed in ABP No.1897 of 2018 for the offences punishable under Sections 406, 420, 465, 323, 504, 506/120(B) of the Indian Penal Code and Section 3(i)(x) of SC/ST Act by the learned Addl. Sessions Judge I, Vaishali at Hajipur whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants is that the informant purchased a tractor from the appellants and the appellants have not informed that the installment of loan is due with the appellants and



due to that the Finance Company has lifted the vehicle and further allegation is that he abused and assaulted by taking caste name.

Submission of the learned counsel for the appellants is that the disputes is with respect to sale and purchase of the tractor and with a view to make the case serious, the ornamental allegation of abusing the informant by caste name has also been mentioned.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Vaishali at Hajipur in connection with Lalganj P.S.Case No.260 of 2016, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
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