

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.635 of 2019**

Arising Out of PS. Case No.-69 Year-2017 Thana- SC/ST BETTIAH District- West
Champaran

1. Mani Kishore Mahto
2. Raj Kishore Mishra
3. Prem Yadav @ Prem Kumar Yadav
4. Dhurendra Mahto
5. Jagdish Mishra
6. Kanhaiya Mishra
7. Pintu Rai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar No 7, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

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

Date : 29-03-2019

Heard the parties.

The appellants seek anticipatory bail in connection with A.B.P. No. 2050 of 2018 arising out of SC/ST P.S. Case No. 69 of 2017, registered for offences punishable under Sections 447, 341, 323, 379, 504 and 506/34 of the Indian Penal Code and under Section 3(i) (r) (s) (ii) (va) of the SC/ST Act.

The allegation as per the F.I.R. against the appellants is that when the informant is selling his products then all the accused persons assaulted with fist and slap and abusing the informant by taking his caste name and also snatched Rs. 11,000/- from the pocket of the informant.



Submission of the learned counsel for the appellants is that the F.I.R. against the appellants is totally false, concocted and from F.I.R. itself clear that there is general and omnibus allegation of assault against the appellants and the dispute arose between the parties only to purchase four cots in less amount of Rs. 1500/-, whereas the cost of each cot has fixed for Rs. 4000/- and appellants have no criminal antecedents.

Heard learned Spl.P.P.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, above named, in the event of arrest or surrender before the Court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, Bettiah, West Champaran in A.B.P. No. 2050 of 2018, subject to condition as laid down under Section 438 of CR.P.C.

With the aforesaid direction, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2019
Transmission Date	03.04.2019

