

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.520 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Jitendra Mahto, son of Chandrika Mahto, Resident of Village- Bilaspur, P.S.- Ram Nagar, District- West Champaran (Bihar)
2. Ranjan Mahto Son of Chandrika Mahto, Resident of Village- Bilaspur, P.S.- Ram Nagar, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 654 of 2019

Arising Out of PS. Case No.-210 Year-2018 Thana- RAMNAGAR District- West Champaran

1. Chandrika Mahto, son of Late Badri Mahto Resident of Village - Vilashpur P.S.- Ram Nagar, District- West Champaran, (Bihar)
2. Sitayi Mahto, Son of Late Badri Mahto Resident of Village - Vilashpur P.S.- Ram Nagar, District- West Champaran, (Bihar)
3. Deonti Devi Wife of Chankrika Mahto Resident of Village - Vilashpur P.S.- Ram Nagar, District- West Champaran, (Bihar)

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 520 of 2019)

For the Appellant/s : Mr.Prithvi Nath Mishra

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 654 of 2019)

For the Appellant/s : Mr.Prithvi Nath Mishra

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 16-04-2019

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)



Act, 1989 against the refusal of prayer for bail by order dated 17.12.2018 and 03.11.2018 passed by the learned Additional District and Sessions Judge Ist-cum-Special Judge Bettiah West Champaran in connection with Ram Nagar P.S. Case No.210 of 2018 registered under Sections 147, 148, 149, 323, 324, 354, 307, 376, 379, 447, 440, 504, 506, 34 of the Indian Penal Code and Section 3(1)(r) (W) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is case and counter case. Appellant, Jitendra Mahto is alleged to have entered into the house of the informant searching for her husband. The husband of the informant was not there. In the circumstances, Jitendra Mahto attempted to ravish the informant. On alarm, people came and Jitendra Mahto was apprehended thereafter other family members of Jitendra Mahto came and committed assault.

Submission is that earlier case was lodged by the petitioner side vide Ram Nagar P.S. Case No.209 of 2018 with almost identical allegation. Appellants in Cr. Appeal (SJ) No.520 of 2019 are in custody since 03.10.2018 and appellants in Cr. Appeal (SJ) No.654 of 2019 are in custody since 22.07.2018. Investigation of the case is completed.



Considering the aforesaid fact, let all the appellants in both the Appeals, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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, with condition that both bailors shall be resident of territorial jurisdiction of the learned Court below and further the appellant shall fully cooperate 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 orders are set aside and these appeals stands allowed.

(Birendra Kumar, J)

sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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