

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.605 of 2019**

Arising Out of PS. Case No.-724 Year-2018 Thana- SASARAM NAGAR District- Rohtas
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1. HARIHAR MAHTO @ HARIHAR SINGH AND ORS Son of Late Devraj Mahto Resident of Mohalla- Takiya, P.S.- Sasaram Model, District - Rohtas
2. Lali Mahto @ Lali Kumar Son of Harihar Mahto Resident of Mohalla- Takiya, P.S.- Sasaram Model, District - Rohtash
3. Deepak Mahto @ Deepak Kumar Son of Harihar Mahto Resident of Mohalla- Takiya, P.S.- Sasaram Model, District - Rohtas
4. Dhananjay Mahto @ Dhananjay Kumar Son of Late Laxman Mahto Resident of Mohalla- Takiya, P.S.- Sasaram Model, District - Rohtas

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s
=====

Appearance :

For the Appellant/s : Mr.Alok

For the Respondent/s : Mr.Binay Krishna
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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 21-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 24.12.2018 passed by learned Additional Sessions Judge-I, Rohtas (Sasaram) in connection with Sasaram (Model) P.S. Case No. 724 of 2018 registered under Sections 147, 149, 341, 323, 448, 379, 504, 506 and 354 of the Indian Penal Code and Section 3(i)(r)(s)(w) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellants



submits that the appellants are innocent and have not committed any offence. In fact, there is land dipsute between the parties for which there is case and counter case has also been lodged by both the parties. No specific case is made out against these appellants. Hence, the appellants may be granted the privilege of pre-arrest bail.

Learned counsel appearing for opposite party has vehemently opposed the prayer for bail and submitted that the appellants have been made accused in several cases but the appellants have suppressed their criminal antecedents which is evident from paragraph-3 of the appeal itself.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of pre-arrest bail to the appellants. Accordingly, this appeal is dismissed.

(Arvind Srivastava, J)

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Transmission Date	

