

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.665 of 2019

Arising Out of PS. Case No.-616 Year-2018 Thana- BARACHATTI District- Gaya

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1. MINTA DEVI, aged about 63 years, Female, Wife of Jagdish Singh @ Jagdish Mahto,
2. Sahdeo Prasad @ Shadeo Prasad, aged about 55 years, Male S/o- Late Tarachand Mahto,

Both resident of village- Ganguar, P.S.- Barachatti, District- Gaya

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Siddhartha Prasad
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-06-2019 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 19.01.2019 passed by learned Sessions Judge -cum- Exclusive Special Judge, SC/ST, Gaya in connection with Barachatti P.S. Case No. 616 of 2018 registered under Sections 147, 149, 341, 323, 308, 324, 354 and 504 of the Indian Penal Code and Section 3(i)(r)(s) 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, both the parties have sustained injuries in



their fight for which case and counter case have been lodged by both the parties. No specific case is made out against the appellant. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks 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 -cum- Exclusive Special Judge, SC/ST, Gaya in connection with Barachatti P.S. Case No. 616 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and the impugned order is set aside.

(Arvind Srivastava, J)

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