

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.852 of 2019**

Arising Out of PS. Case No.-38 Year-2018 Thana- SC/ST District- Sheikhpura *

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1. UMESH MAHTO Son of Late Yadu Mahto Resident of Village - Kare, P.S.- Sheikhpura, District - Sheikhpura
 2. Ashok Mahto Son of Late Yadu Mahto Resident of Village - Kare, P.S.- Sheikhpura, District - Sheikhpura

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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

Date : 02-04-2019

The appellants seek pre arrest bail in connection with Sheikhpura SC/ST P.S. Case No. 38 of 2018, registered for offences punishable under Sections 341, 323, 504,506, 448, 380 and 34 of the Indian Penal Code and Section 3 (i)(r)(s), 3(2)(va) of SC/ST Act.

Allegation against the appellants is that they abused the maternal grandson of the informant by caste name and also threatened not to depose in a case lodged against them. Thereafter, they also came to the house of the informant and abused the informant and also assaulted his wife and snatched away golden chain.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case in the background of land dispute and no such occurrence as alleged in the F.I.R. has ever taken



place. Moreover, no specific allegation has been attributed to the appellants.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sheikhpura, in connection with Sheikhpura SC/ST P.S. Case No. 38 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

