

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1021 of 2019

Arising Out of PS. Case No.-24 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

-
1. Sukat Mahto Son of Late Saman Mahto, Both Resident of Village-Senuwariya, Tola-Bheriharwa, P.S-Majhauria, District-West Champaran.
 2. Pradeep Mahto Son of Rudal Mahto, Both Resident of Village-Senuwariya, Tola-Bheriharwa, P.S-Majhauria, District-West Champaran.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 25-06-2019 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 27.09.2018 passed by learned 1st Addl. Sessions Judge cum Special Judge SC/ST Act, West Champaran at Bettiah in connection with Bettiah SC & ST P.S. Case No. 24 of 2018 registered under Sections 147, 149, 341, 323, 379 & 504 of the Indian Penal Code and Section 3(1) (r) 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

Appellants along with seven other accused persons are said to have slated the informant over organizing panchayati against the appellants and assaulted him and his sons and Kodai Mahto snatched Rs.25,000.00 of the informant.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellants are not specific rather general and omnibus in nature. Prior to lodging of this case a case has been lodged by the appellants against the informant and in order to save his skin from the said case this false and frivolous case has been lodged against the appellants. Similarly situated seven co-accused persons have been enlarged on bail by a coordinate Bench of this Court vide order dated 27.11.2018 passed in Cr. Appeal (SJ) No.4575 of 2018.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the 1st Addl. Sessions Judge cum Special Judge, West Champaran at Bettiah in connection with Bettiah SC & ST P.S. Case No. 24 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

