

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4677 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- PANAPUR District- Saran

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1. Lal Bahadur Mahto @ Lal Bahadur Prasad, Son of Late Chanesar Mahto,
 2. Niraj Kumar Mahto, Son of Lal Bahadur Mahto @ Lal Bahadur Prasad, Both Residents of Village- Bakwan, Police Station Panapur, District- Saran at Chapra.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Krishna Kumar Yadav, Advocate
For the Respondent/s : Mr.Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 2.11.2018 passed by Additional Sessions Judge-I, Saran at Chapra, in A.B.P. No.3530 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Panapur P.S.Case No. 147 of 2018, registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3(i)(r) and 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is of assaulting the informant by fists and slaps and also abusing him by caste name.

Submission of learned counsel for the appellants is that there is case and counter case between the parties and all the Sections except Section 3 of SC/ST Act are bailable in nature.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or



surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Saran at Chapra, in connection with Panapur P.S. case No. 147 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 2.11.2018 is set aside.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

