

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1677 of 2019**

Arising Out of PS. Case No.-182 Year-2018 Thana- AWTARNAGAR District- Saran

-
1. SUDHAN MAHTO S/o Shri Brahmdeo Mahto R/o Village- Madanpur, P.S.- Awatar Nagar, District- Saran at Chapra.
 2. Rohit Kumar @ Rohit Kumar Mahto S/O Sudhan Mahto R/o Village- Madanpur, P.S.- Awatar Nagar, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Awadhesh Kumar
For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 24-04-2019

Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

This appeal is filed for grant of pre-arrest bail to
the appellants against the order dated 20.02.2019 passed by the
learned Special Judge (1st Additional Sessions Judge), Saran at
Chapra in connection with Awatar Nagar P.S. Case No. 182 of
2018 registered for the offences punishable under sections 147,
149, 341, 323, 324 and 504 of the Indian Penal Code and
Section 3(i)(r) and 3(2)(va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby prayer
for pre-arrest bail of the appellants have been rejected.

Submission of learned counsel for the appellants



is that the present case is lodged in retaliation to the earlier case, as evident from Annexure-2 to the application. Further submission is that there is no injury report on the record to suggest that any injury has been caused to the informant.

Having heard both sides and in the facts and circumstances of the case, let the above named appellants 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 the Special Judge (Additional Sessions Judge-I), Saran in connection with Awatar Nagar P.S. Case No. 182 of 2018, subject to the conditions as laid down under section 438(2) of Cr. P.C.

Accordingly, the appeal is allowed and the impugned order dated 20.02.2019 is set aside.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

