

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1697 of 2019**

Arising Out of PS. Case No.-201 Year-2018 Thana- NARDIGANJ District- Nawada

1. SUKHDEO PRASAD KUSHWAHA @ SUKHDEO MAHTO Son of Late Aandhi Mahto Resident of Village - Mahavatpur, P.S.- Nardiganj, District - Nawada.
2. Yogendra Prasad Kuswaha Son of Sukhdeo Prasad Kushwaha @ Sukhdeo Mahto Resident of Village - Mahavatpur, P.S.- Nardiganj, District - Nawada.
3. Sunita Devi Wife of Yugendra Prasad Kushwaha Resident of Village - Mahavatpur, P.S.- Nardiganj, District - Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar Verma
For the Respondent/s : Mr. Binay Krishna

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

Date : 25-04-2019

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 02.03.2019 passed by
the 1st Additional Sessions Judge, Nawada in A.B.P. No. 164
of 2019 arising out of Nardiganj P.S. Case No. 201 of 2018
registered for the offences punishable under sections 341,
323, 504, 506/34 of the Indian Penal Code and Section 3(i)
(r) 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 appellants have no criminal antecedent. They are innocent and have falsely been implicated in the present case. There is case and counter case for the alleged occurrence.

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 1st Additional Sessions Judge, Nawada in connection with Nardiganj P.S. Case No. 201 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 02.03.2019 is set aside.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

