

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1818 of 2019

Arising Out of PS. Case No.-137 Year-2018 Thana- GAUNAHA District- West Champaran

1. MAMTA KUMARI D/o- Suresh Mahto Resident of Village - Murli Bharharwa, P.S.- Gaunaha, District- West Champaran, Bettiah
2. Sushma Kumari D/O - Umesh Kumar Mahto @ Umesh Mahto Resident of Village - Murli Bharharwa, P.S.- Gaunaha, District- West Champaran, Bettiah
3. Umesh Kumar Mahto @ Umesh Mahto Son of Late Bharos Mahto @ Rambharosh Mahto Resident of Village - Murli Bharharwa, P.S.- Gaunaha, District- West Champaran, Bettiah
4. Lalsa Devi Wife of Umesh Kumar Mahto @ Umesh Mahto Resident of Village - Murli Bharharwa, P.S.- Gaunaha, District- West Champaran, Bettiah
5. Chhotelal Mahto Son of Dinanath Mahto Resident of Village - Murli Bharharwa, P.S.- Gaunaha, District- West Champaran, Bettiah

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Narain Sinha
For the Respondent/s : Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 03-05-2019

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

The appellants seek pre-arrest bail in connection
with Gaunaha P.S. Case No. 137 of 2018 registered under
Sections 147, 148, 149, 153A, 295, 353, 379 and 504 of the
Indian Penal Code and Section 3(x) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellants



is that appellants are innocent and have falsely been implicated in the present case due to local politics. Further submission is that from the allegations levelled in the first information report, it appears that no case is made out under the provisions of SC/ST Act against the appellants.

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-cum-Special Judge, West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 137 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 is set aside.

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

