

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1950 of 2019**

Arising Out of PS. Case No.-224 Year-2018 Thana- LALGANJ District- Vaishali

Lakhindra Mahto S/o Indar Mahto R/o village- Dilawarpur, P.S.- Lalganj,
District- Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anish Chandra
For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

5 22-08-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 04.10.2018 passed by learned 1st Addl. Sessions
Judge-cum-Special Judge, SC/ST, Viashali at Hajipur in Lalganj
P.S. Case No. 224 of 2018 registered under Sections 302, 201/34
of the Indian Penal Code and Section 3(1)(r)(s), 3(ii)(v)(a) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Co-accused Amarjeet Mahto is said to have taken
the husband of the informant to join the marriage of his niece in



the evening of 25.06.2018 and on 26.06.2018 his dead body was found in the Chawar. The informant suspected commission of murder of her husband by all the six FIR named accused persons including the appellant over having illicit relation by the deceased with the daughter of Amarjeet Mahto.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case merely because he happens to be son-in-law of the brother of Amarjeet Mahto. Informant does not happen to be eyewitness of the occurrence and moreover there is no eyewitness of the occurrence. Appellant was not last seen with the deceased. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST, Viashali at Hajipur in Lalganj P.S.



Case No. 224 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)

rohit/-

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

