

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.2713 of 2019**

Arising Out of PS. Case No.-116 Year-2019 Thana- BELAGANJ District- Gaya

1. Nishant Kumar Ranjan @ Gholtan Son of Chandrabhushan Mahto @ Chandra Bhusan Prasad Resident of Village - Khaneta, P.S.- Belaganj, Dist.- Gaya.
2. Sonu Mahto @ Sonu Kumar Son of Arun Mahto Resident of Village - Khaneta, P.S.- Belaganj, Dist.- Gaya.

... .. Appellants.

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

|                      |   |                        |
|----------------------|---|------------------------|
| For the Appellant/s  | : | Mr. Prithivi Raj Singh |
| For the Respondent/s | : | Mrs. Usha Kumari I     |

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

ORAL ORDER

2      08-07-2019                      Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

The appellants seek pre-arrest bail in connection with Belaganj P.S. Case No.116 of 2019 registered under Sections 147, 148, 149, 341, 323, 307 & 504 of the Indian Penal Code and Section 3 (1) (r) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

Appellants along with 14 other named accused persons are said to have assaulted the informant and Arjun Paswan by means of lathi and sword making them injured.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place.



Appellants have been falsely implicated in the case. There is a case and counter case between the parties. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Both the injured have sustained lacerated wound on head which is simple in nature. Appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge SC/ST, Gaya in connection with Belaganj P.S. Case No.116 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

Trivedi/-

**(Prakash Chandra Jaiswal, J)**

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