

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2885 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- PIPRAKOTHI District- East Champaran

1. Munni Mahato @ Munnilal Mahato Son of Mahindra Mahto Resident of Village- Harpur, P.S.- Piprakothi, District- East Champaran
2. Mahindra Mahto Son of Late Jagarnath Mahto Resident of Village- Harpur, P.S.- Piprakothi, District- East Champaran
3. Jagia Devi Wife of Mahindra Mahto Resident of Village- Harpur, P.S.- Piprakothi, District- East Champaran
4. Urmila Devi Wife of Munni Mahto @ Munnilal Mahto Resident of Village- Harpur, P.S.- Piprakothi, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 16-09-2019 Heard learned counsel for the appellants 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 18.03.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST (PoA) Act, East Champaran at Motihari in Piprakothi P.S. Case No. 289 of 2018 registered under Sections 363, 366A/34 of the Indian Penal Code and Section 3(i)(xii) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act.

Co-accused Akhilesh Kumar Mahto is said to have kidnapped minor daughter of the informant on the way to her school in connivance with the appellants.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in this case merely because they happen to be parents-in-law and grand parents-in-law of Akhilesh Kumar Mahto. Victim in her statement recorded under Section 164 Cr.P.C has not named the appellants in her kidnapping. Parties to the case have comprised the case. Appellants have 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 appellants be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Judge, SC/ST (PoA) Act, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 289 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)

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