

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3324 of 2019

Arising Out of PS. Case No.-249 Year-2019 Thana- AKBARPUR District- Nawada

1. SANTOSH PRASAD Son of Hari Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
2. Sito Mahto Son of Late Rameshwar Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
3. Kavindra Prasad Son of Kishun Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
4. Rajendra Prasad @ Rajo Mahto Son of Late Etwari Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
5. Lakhan Prasad @ Ram Lakhan Prasad Son of Late Jageshwar Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
6. Badri Prasad Son of Lila Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
7. Ganesh Prasad Son of Late Bhuneshwar Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
8. Sako Prasad Son of Kameshwar Prasad Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
9. Rauki Prasad @ Rauki Kumar Son of Kameshwar Prasad Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
10. Anandi Prasad Son of Kameshwar Prasad Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
11. Ajay Prasad Son of Lakhan Prasad Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
12. Amirak Prasad @ Amirak Mahto Son of Kashi Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
13. Apish Prasad Son of Kapil Prasad Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah
14. Gledi Prasad @ Gleri Prasad Son of Lakshman Mahto Resident of Village- Chhotki Amwan, Police Station- Akbarpur, District- Nawadah

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA



ORAL ORDER

4 16-11-2019 Appellants seek pre-arrest bail in connection with Akbarpur P.S.Case No. 249 of 2019 registered for the offences punishable under Sections 147, 148, 341, 323, 504, 506, 307, 427, 379 of the Indian Penal Code, Section 27 of the Arms Act and Section 3 (i)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR one co-accused Pappu Kumar started assaulting and abusing the informant by taking his caste name while he was engaged in PCC work of the road and there is also allegation that one Ajay Rajbanshi was also assaulted. So far these appellants are concerned, 200-300 persons, including the appellants came variously armed came at Dalit Tola and started indiscriminate firing and assaulting others and causing injuries to them.

Submission of learned counsel for the appellants is that there is case and counter case between the parties and there is no allegation of abusing against the appellants and moreover no injury was found on the person of informant and injuries were found to be simple on the persons of others.

Heard learned counsel for the State.

Having heard both sides and in the facts and circumstances, as stated above, let appellants, named above,



surrender in the court below within a period of three weeks from the receipt of this order and on surrender they shall be released on bail 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 Additional Sessions Judge-I-cum-Special Judge, Nawadah, in connection with Akbarpur P. S. Case No. 249 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are that one of the bailors of the appellants shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

Accordingly, this appeal is allowed and the impugned order dated 10.7.2019 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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

