

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3634 of 2019**

Arising Out of PS. Case No.-95 Year-2013 Thana- NOWKOTHI GARHPURA District-
Begusarai

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NARESH MAHTON Son of Basant Lal Mahto @ Anand Lal Mahto Resident
of Village- Samsa, P.S.- Naokothi, District- Begusarai.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Nakul Kumar Jamuar
For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

3 24-09-2019 Heard learned counsel for the appellant and

learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide
order dated 22.07.2019 passed by learned Special Judge
SC/ST Act, Begusarai in connection with Nawkothi P.S.
Case No. 95 of 2013 registered under Sections 341, 323,
307, 504 & 506 of the Indian Penal Code, Section 27 of the
Arms Act and Section 3(1) (x) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.



While the informant was at his house, appellant Naresh Mahton and co-accused Vijay Rajak slating the informant in the name of his caste descended at his house and resorted firing upon him but he escaped the fire and then he again started loading pistol but on the hulla made by the informant locals rushed there and they left the scene slating him.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Appellant has been falsely implicated in the case due to land dispute. There is no specific allegation against the appellant of slating the informant. Informant has not sustained injury in the occurrence. Appellant has been languishing in custody since 11.07.2019.

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

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST Act,



Begusarai in connection with Nawkothe P.S. Case No. 95
of 2013.

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

(Prakash Chandra Jaiswal, J)

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