

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5193 of 2019

Arising Out of PS. Case No.-26 Year-2019 Thana- SC/ST District- Rohtas

1. VICKY MAHTO @ DEVENDRA KUMAR @ DICKY Son of Shri Nawal Kishor Singh @ Jagan Mahto Resident of Village-Makaraeen, P.S-Dalmiya Nagar, District-Rohtas (Bihar).
2. Kundan Kumar @ Dharmendra Kumar Son of Shri Jawahar Sah Resident of Village-Makaraeen, P.S-Dalmiya Nagar, District-Rohtas (Bihar).
3. Santosh Mahto @ Santosh Kumar Son of Shri Himanshu Mahto @ Sudhanshu Mahto Resident of Village-Makaraeen, P.S-Dalmiya Nagar, District-Rohtas (Bihar).

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Krishna Mohan Murari
For the Respondent/s	:	Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019 By way of this memo of appeal,preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 22.10.2019 passed in Registration No.86 of 2019 arising out of Dehri SC/ST P.S.Caase No.26 of 2019 for the offences punishable under Section 147, 148, 149, 341, 323, 307, 354, 379, 427, 506, 504 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act by the learned 1st Addl. District and Sessions Judge, Rohtas at Sasaram whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants and other accused persons is of abusing the informant by caste name and also assaulting the informant and his family members.



Submission of the learned counsel for the appellants is that no specific allegation has been attributed against the appellants and there is general and omnibus allegation against them and considering the same, a Co-ordinate Bench of this Court has allowed the appeal and granted anticipatory bail to some of the accused persons, vide order dated 24.7.2019 passed in Cr. Appeal (S.J.) No.2596 of 2019.

Hard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellants, above named, in the event of his arrest or surrender before the learned court below within a period of three weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Dehri SC/ST P.S.Cae No.26 of 2019 in connection with 1st Addl. District and Sessions Judge, Rohtas at Sasaram subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

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