

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4370 of 2018

Arising Out of PS. Case No.-35 Year-2018 Thana- SC/ST District- Rohtas

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1. Rahul Kumar Son of Bahadur Saw.
 2. Magru Mahto @ Sunil Mahto, Son of Late Vimal Mahto.
 3. Budhram Mahto, Son of Late Upendra Mahto.
 4. Dhananjay Mahto son of Ram Ashish Mahto
- All Residents of Village- Jamuhar, P.S. Dehri, District- Rohtas.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

The appellants seek pre-arrest bail in connection with SC/ST P.S. Case No. 35 of 2018, registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 379, 354, 307, 504, 506, 34 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act.

Allegation against the appellant no.1 is of assault to the informant causing injury to him and allegation against appellant no.4 is of assault to Kalavati Devi and appellant nos. 2 & 3 are also named in the F.I.R.

Submission of learned counsel for the appellants is that the injuries on the person of Kalavati Devi is simple in nature, which will appear from Annexure-3 and so far injuries of the informant is



concerned, some injuries are simple and some are grievous in nature. Further, there is case and counter case between the parties.

Heard learned Special P.P. also.

Having heard both sides, so far appellant no.1 is concerned, I am not inclined to grant anticipatory bail to him, rather he should surrender and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

So far appellant nos.2 to 4 are concerned, let appellant nos.2 to 4, above named, be surrendered within a period of six weeks and on surrender they will release on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I, Rohtas at Sasaram, in connection with SC/ST P.S. Case No. 35 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Amjad/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

