

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.168 of 2020**

Arising Out of PS. Case No.-239 Year-2019 Thana- SALIMPUR District- Patna

1. RAJU MAHTO Son of Dhutuk Mahto Resident of Village - Karauta, P.S.- Salimpur, District - Patna
2. Saro Devi Wife of Raju Mahto Resident of Village - Karauta, P.S.- Salimpur, District - Patna
3. Ravi Shankar Kumar Son of Raju Mahto Resident of Village - Karauta, P.S.- Salimpur, District - Patna
4. Gauri Shankar Kumar Son of Raju Mahto Resident of Village - Karauta, P.S.- Salimpur, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Anand Kumar

For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      17-12-2020                      Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the appellants and learned APP for the State.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 341, 323, 427, 354, 379, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) of the SC/ST



(Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that on 21.11.2019 the informant was working in the field, the appellants misbehaved with the informant and abused her by taking caste name and the appellants snatched her golden earring and jitiya.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. General and omnibus allegation has been made. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 12.12.2019, passed by the learned A.D.J. VIII-cum-Special Judge, SC/ST Act, Patna in connection with Salimpur P.S. case No.239 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a



period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. VIII-cum-Special Judge, SC/ST Act, Patna in connection with Salimpur P.S. case No.239 of 2019.

**(Sudhir Singh, J)**

Narendra/-

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