

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.218 of 2020**

Arising Out of PS. Case No.-525 Year-2017 Thana- BARBIGHA District- Sheikhpura

ASHOK MAHTO @ ASHOK KUMAR MAHTO Son of Bahadur Mahto @  
Ram Bahadur Mahto Resident of Village - Bhadarthi, P.S.- Barbigha, District  
- Sheikhpura.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Bipin Kumar, Adv

For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR  
ORAL ORDER**

4      24-02-2020      Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 08.01.2020 passed by the learned 1<sup>st</sup> Additional District and Sessions Judge, Sheikhpura, in A.B.P. No.01 of 2020 corresponding to SC/ST Case No.303 of 2017 arising out of Barbigha Police Station Case No.525 of 2017, registered under Sections 447/341/323/504/506/34 of the Indian Penal Code and Sections 3(2)(va)/3(R)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that there is land dispute between the parties and for that reason, the bailable offences of the



Indian Penal Code was allegedly committed by the appellant.

Appellant is not named in the FIR. Similarly situated co-accused has already been allowed bail by this Court in Cr. Appeal (SJ)No.3111 of 2018.

Considering the background and nature of allegation, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

**(Birendra Kumar, J)**

Nitesh/-

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