

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1602 of 2020**

Arising Out of PS. Case No.-253 Year-2019 Thana- SONBERSA District- Sitamarhi

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NAGENDRA KUMAR MAHTO Son of Late Ram Prasad Mahto Resident of
Village - Rohua, P.S. - Sonbarasa, District - Sitamarhi.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sunil Kumar
For the Respondent/s : Mr.A.G

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

The present memo of appeal has been filed for setting
aside the order dated 27.02.2020 passed by learned Additional
District and Sessions Judge Ist, Sitamarhi in connection with
Sonbarsa P.S. Case No. 253 of 2019, registered under Sections
341, 323, 427, 504 and 506 of the Indian Penal Code and
section 3(i)(r) of the SC/ST Act.

The informant alleged that on 11.11.2019 at 4.00 pm,
the petitioner started harvesting the paddy crop from the field,
when the informant's wife went at the house of appellant and
asked as to why he had harvested the paddy crop. The appellant
is alleged to have assaulted him with shoes and also abused her



by calling her caste name.

It is submitted on behalf of the appellant that they have been falsely implicated in this case at the instance of Umesh Bhagat with whom appellants are on litigating term. No such occurrence has taken place and only with a view to humiliate, this case has been lodged by the informant.

Considering the aforesaid facts, this appeal is allowed. The impugned order dated 27.02.2020 passed by learned Additional Sessions Judge Ist, Sitamarhi is set aside.

Let the appellant above-named be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Ist, Sitamarhi, in connection with Sonbarsa P.S. Case No 253 of 2019.

(Prabhat Kumar Singh, J)

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