

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1429 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- RAJAOLI District- Nawada

RAJO MAHTO SON OF LATE GARIBAN MAHTO RESIDENT OF
VILLAGE- NIMATAR RAMPUR, P.S.- RAJAULI, DIST.- NAWADA

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjeev Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-03-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 12.01.2021 passed by learned Special Judge, SC/ST Court, 1st Additional Judge, Nawada in connection with Rajouli P.S. Case No. 223 of 2020 arising out of Special Case No. 114 of 2020 registered under Sections 147, 341, 323, 307 and 302 of the Indian Penal Code and Sections 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he was grazing his buffalo in the brinjal field of the informant and on protest he has beaten his younger brother by fists and slaps.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this



case. He submits that allegation levelled against the appellant is not specific rather general and omnibus in nature. He submits that similarly situated co-accused have been granted bail by coordinate Benches of this Court in Cr. APP No. 1858 of 2020 on 01.12.2020 and in Cr. APP No. 1768 of 2020 on 06.01.2021. He further submits that appellant bears no criminal antecedent as stated in para-3 of this petition and he is languishing in judicial custody since 28.11.2020.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC and ST Court, 1st Additional Judge, Nawada in connection with Rajouli P.S. Case No. 223 of 2020 arising out of Special Case No. 114 of 2020.

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

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

