

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1356 of 2022

Arising Out of PS. Case No.-150 Year-2020 Thana- PUNAURA District- Sitamarhi

Lalit Mahto @ Lalit Kumar Son Of Mohan Mahto R/O Village- Bhorha, P.S.-
Riga, District- Sitamarhi

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hanslal Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 14-07-2022 Heard Mr. Hanslal Kumar learned counsel for the
appellant as well as learned SPP for the State.

No one appears on behalf of the State.

The present appeal under Section 14(a) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter referred to as the SC/ST Act) preferred against the order dated 15.03.2022 passed by the learned Additional Sessions Judge -III, cum Special Judge SC/ST ,Sitamarhi in connection with Punaura P.S.Case No. 150 of 2020, instituted for the offence under Sections 147,148,149,188, 341, 342, 353, 323, 307, 332, 333, 279, 270, 504 of the Indian Penal Code and section 3(i)(r) (3)/3(2)(va)of SC/ST (POA) whereby prayer for bail of the appellant has been rejected.



As per the prosecution case, it is alleged that on account of accidental death of a young girl, all the accused persons created ruckus . It is further alleged that even though, the case with respect to such accident was reported and the post mortem of the deceased was done but the accused persons including the appellants assaulted the driver of the vehicle and made arson.

Learned counsel appearing on behalf of the appellant submits that there is general omnibus allegation against all the accused persons, including the appellant. It is further submitted that this appellant is in custody since 25.01.2022, having no criminal antecedent. It is next submitted that several accused persons having identical allegation have been granted bail by different Benches of this Court in Cr. Appeal No. 2517 of 2021 vide order dated 16.07.2021. It is next submitted that the investigation of the crime is already concluded and the charge sheet has been submitted.

Considering the submission made on behalf of the appellant and taking into consideration the nature of allegation as also the fact that other co-accused persons have been granted bail by different Benches of this Court, let the above named appellant, be enlarge on bail on furnishing bail bond of Rs.



20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III Special Judge SC/ST (POA) Act Sitamarhi in connection with Punaura P.S.Case No. 150 of 2022.

Accordingly, the impugned order dated 15.03.2022 is set aside and the appeal is hereby, allowed.

(Harish Kumar, J)

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