

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.598 of 2021**

Arising Out of PS. Case No.-576 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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1. GOPICHAND MAHTO @ GOPICHANDRA MAHTO S/o Ghur Mahto @ Dhur Mahto Resident of Village- Chhawani, P.S.- Bettiah Muffasil (Manuapul), Distt- West Champaran
 2. Santoshi Devi W/o Gopichand Mahto @ Gopichandra Mahto Resident of Village- Chhawani, P.S.- Bettiah Muffasil (Manuapul), Distt- West Champaran
 3. Mantu Kumar @ Manu Mahto S/o Gopichand Mahto @ Gopichandra Mahto Resident of Village- Chhawani, P.S.- Bettiah Muffasil (Manuapul), Distt- West Champaran
 4. Manisha Devi D/o Gopichand Mahto @ Gopichandra Mahto Resident of Village- Chhawani, P.S.- Bettiah Muffasil (Manuapul), Distt- West Champaran
 5. Sonu Kumar @ Sonu Mahto S/o Gopichand Mahto @ Gopichandra Mahto Resident of Village- Chhawani, P.S.- Bettiah Muffasil (Manuapul), Distt- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjeev Kumar
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-04-2022 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, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 13.10.2020, passed by learned 1st Additional District and Sessions Judge-cum-Special Judge SC/ST Act, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 576 of 2020, registered under



Sections 341, 448, 323, 354, 379, 504, 506, 34 of the IPC and Sections 3 (i) (r) (s)/3(2)(va) of the SC/ST Act.

It is submitted by learned counsel for the appellants that the appellants are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellants. He submits that there is no specific allegation against the appellants to abuse the informant by taking caste name. He submits that the parties have settled their dispute out of the court through panchayati and they have filed a compromise petition before the court below. He submits that He further submits that appellants have no criminal antecedent as stated in para-3 of this appeal.

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

Considering the fact that there is compromise between the parties, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge-cum-Special Judge SC/ST Act, Bettiah, West Champaran



in connection with Bettiah Town P.S. Case No. 576 of 2020,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

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

(Anjani Kumar Sharan, J)

devendra/-

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