

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1629 of 2023

Arising Out of PS. Case No.-51 Year-2022 Thana- RANIYATALAB District- Patna

-
-
1. Vishun Dayal Mahto Son Of Mahendra Mahto Village- Kushwaha Kanpa Ps- Ranitalab Dist- Patna
 2. Dindayal Prasad Son Of Tipan Mahto Village- Kushwaha Kanpa Ps- Ranitalab Dist- Patna
 3. Nandkishore Prasad @ Kishore Mahto @ Nand Kishore Son Of Krishna Murari Mahto Village- Kushwaha Kanpa Ps- Ranitalab Dist- Patna
 4. Satyanand Mahto @ Satya Mahto Son Of Dhanraj Mahto Village- Kushwaha Kanpa Ps- Ranitalab Dist- Patna
 5. Dhananjay Kumar @ Dhananjay Mahto Son Of Mahendra Mahto Village- Kushwaha Kanpa Ps- Ranitalab Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rubi Devi not given Village- Kushwaha Kanpa Ps- Rani Talab Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 30-08-2023 Heard learned counsel for the appellants, respondent no. 2 and learned Special Public Prosecutor for the State.

2. 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 18.10.2022, passed by learned Special Judge (SC/ST Act), Patna in connection with Rani Talab P.S. Case No. 51 of 2022,



registered under Sections 147, 149, 134, 323, 307, 354, 504 of the IPC and Sections 3(i) (r) (s) of SC/ST Act.

3. Appellants are said to have abused the informant by taking caste name and also assaulted the informant's side.

4. 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 case and counter case in between the parties and both side have sustained injury. He submits that the injury found upon the victim is simple in nature. He submits that there is specific allegation against Sunil Mahto. He further submits that appellant no. 4 has one criminal antecedent and rest of the appellants have no criminal antecedent as stated in para-3 of this appeal.

5. Considering the facts and circumstances of the case, let 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 Special Judge (SC/ST), Patna in connection with Rani Talab P.S. Case No. 51 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



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

(Anjani Kumar Sharan, J)

devendra/-

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

