

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2921 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -SC/ST District- SEKHPURA

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1. Sunil Mahto,
2. Jalo Mahto, Both Sons of Late Mahavir Mahto, resident of Village Sahra, P.S.-
Korma, District- Sheikhpura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Devendra Prasad, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-08-2018

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, 1989 against the refusal of prayer for anticipatory bail vide order dated 13.07.2018 passed by the learned Additional Sessions Judge-1st, Sheikhpura, in A.B.P. No. 389 of 2018, arising out of Sheikhpura SC/ST Police Station Case No. 17 of 2018, registered under Sections 341, 323, 504 and 349 of the Indian Penal Code and Sections 3(ii) (va)/3(R)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences alleged against the appellants under the Indian Penal Code are bailable. The appellants have stated on oath



that they have got no criminal antecedent. The appellants claim the referred land by purchase through the registered sale-deed.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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