

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1790 of 2015

Arising Out of PS.Case No. -4 Year- 2014 Thana -MAHILA P.S. District- BANKA

- =====
1. Ashok Kr. Singh @ Ashok Singh
 2. Ajay Kumar Singh @ Ajay Sing
 3. Shyam Sundar Mandal @ Shyam Mandal and
 4. Mahesh Mandal

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-01-2015 Heard learned counsel for the petitioners and learned
counsel, appearing for the State.

Petitioners apprehend their arrest in connection with Banka
(Mahila) P.S. Case No. 04 of 2014 registered under Sections-341,
323, 504, 376, 511, 354, 379/34 of the Indian Penal Code as also
Section-3(i)(x)(xi) SC/ST (Prevention of Atrocities) Act.

Admittedly, after submission of the charge-sheet, the court
has taken cognizance for the offence punishable under Sections-
3(i)(x)(xi) SC/ST (Prevention of Atrocities) Act as well as other
Sections of the Indian Penal Code and, therefore, in my view, this
anticipatory bail petition is not maintainable in view of Section-18
of SC/ST(Prevention of Atrocities) Act and, accordingly, this
petition stands dismissed being not maintainable.

However, it is made clear that if, petitioners

surrender before the concerned court within four weeks from the date of receipt/production of copy of this order and seek regular bail, the regular bail application of the petitioners shall be considered by the concerned court on the same day, on its own merit without being prejudiced by this order, particularly, keeping in mind that the police case was registered on the basis of complaint petition.

A.K.V./-

(Hemant Kumar Srivastava, J)

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