

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34078 of 2014

Arising Out of PS.Case No. -105 Year- 2014 Thana -NANPUR District- SITAMARHI

- =====
1. Sanju Devi Wife of Chhotan Sahani
 2. Chhotan Sahani Son of Late Reibi Sahani Both are resident of Village - Banaul, Police Station Nanpur, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 02-04-2015 Supplementary affidavit is filed on behalf of the petitioners.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Nanpur P.S. Case No. 105 of 2014 registered under Sections-341, 324, 325, 307, 354, 504, 506 of the Indian Penal Code and Section-3(1)(x) of SC/ST (Prevention of Atrocities) Act.

The contention on behalf of the petitioners is that the matter has already been settled amicably by happy note of compromise and the informant has sustained simple injury.

Admittedly, the case has been instituted under the

provisions of SC/ST (Prevention of Atrocities) Act as well as under various sections of the Indian Penal Code and, therefore, in my view, this anticipatory bail petition is not maintainable in the light of Section-18 of SC/ST (Prevention of Atrocities) Act and accordingly, this petition stands dismissed being not maintainable.

However, if, petitioners surrender and seek regular bail before the court below in connection with Nanpur P.S. Case No. 105 of 2014 within four weeks from today, the learned court below shall consider their regular bail application of the on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that the injured of this case sustained simple injuries and the parties have already compromised the case and the petitioner No. 1 is a lady and, furthermore, the court below shall pass appropriate order on the regular bail application of the petitioners on the day of their surrender itself.

A.K.V./-

(Hemant Kumar Srivastava, J)

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