

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11686 of 2016

Arising Out of PS.Case No. -75 Year- 2015 Thana -SC/ST District- SITAMARHI

- =====
1. Chandra Kishore Rai S/o Chandeshwar Rai
 2. Ajay Rai@Ajay kumar Son of Ramadhar Rai, Both Resident of Village- Dharmbana, PS Dumra, District Sitamarhi.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 147, 341, 323, 324, 504/34 of the Indian Penal Code as also under Section 3(1)(x) (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Taking into consideration the fact that the petitioners are specifically named in the F.I.R vide Annexure-1 as accused and further taking into consideration the fact that on plain perusal of the F.I.R. vide Annexure-1, a prima facie case under Section 3(1) (x) and (xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 is made out and also taking into consideration the bar created under Section 18 of the aforesaid Act, this Court is not inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for anticipatory bail in connection with Sitamarhi SC/ST P.S.Case No. 75 of 2015 pending in the Court of learned A.D.J. 1st, Sitamarhi, is hereby rejected.

However, if the petitioners surrender in the court below within a period of four weeks from today and apply for regular bail, then the same shall be considered and decided on its own merit without being prejudiced by the present order.

(Birendra Prasad Verma, J)

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