

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13509 of 2016

Arising Out of PS.Case No. -4423 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Javed @ Javed Alam Son of Shamsad Alam
2. Shamshad Parwez son of Abdul Majid Both resident of Village- Khanua
(Kukrauna), Police Station- Dhamdaha, District-Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Upendra Rishi son of Late Ganesh Rishi r/o Village- Khanua (Shankar
Tola), P.S. Dhamdaha District- Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Hussain
For the Opposite Party/s : Mr. Sadanand Paswan(APP)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 12-04-2016 Heard.

The petitioners apprehend their arrest in a criminal prosecution, based on a complaint petition, for offences under Sections 3(1)(V) and 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (In short 'the Act, 1989').

Taking into consideration the fact that the petitioners are specifically named in the complaint petition vide Annexure-1 as accused and also taking into consideration the fact that a prima face case under Sections 3(1)(V) and 3(1) (x) of the Act, 1989, is made out against the accused persons including the petitioners and further taking into consideration the fact that a bar has been created under Section 18 of the Act, 1989 for grant of anticipatory bail under Section 438 Cr. P. C. in such cases, 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 Complaint Case No. 4423 of 2014 pending in the Court of learned Judicial Magistrate, 1st Class, Purnea, 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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