

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12928 of 2016

Arising Out of PS.Case No. -528 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Nago Chourasia Son of late Chhedi Chourasia.
 2. Sabita Devi Wife of Nago Chourasia.
 3. Prince Kumar Son of Nago Chourasia.
- All are resident of Village-Kaliganj (Jeewan Chouck), P.S.-Sadar,
District-Purnea.

.... Petitioner/s

Versus

1. State of Bihar
2. Sukhiya Devi Wife of Siyaram Paswan, Village-Kaliganj, P.S.-Sadar,
Dist-Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 06-04-2016 Heard the counsel for the petitioners and Mr. Ambika
Bhagat, Spl. APP for the State.

The petitioners herein seek anticipatory bail in
Complaint Case No. 528 of 2015 registered under Sections 3(x)
S.C./S.T. (Prevention of Atrocities) Act.

On going through the First Information Report, it
appears that on trivial issue the occurrence took place in which
minor allegations are levelled. The complainant has, however,
also alleged commission of offence under the penal provisions
of the Scheduled Caste & Scheduled Tribe (Prevention of
Atrocities) Act, 1989 (for short 'Act'). It is stated that earlier a

case was lodged by the petitioners against the prosecution side. It is the retortive act of the complainant. There is delay in lodging the case.

Mr. Bhagat opposes the prayer referring to the Section 18 of the Act which bars the Court to grant the privilege of anticipatory bail.

Regard being had to above, this Court declines to grant the privilege of anticipatory bail, permitting the petitioners to surrender and seek regular bail. Once they surrender and pray for regular bail, the court below shall consider and dispose of the same on its own merit unprejudiced by the present order.

The application is disposed of.

(Kishore Kumar Mandal, J)

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