

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48025 of 2015**

Arising Out of PS.Case No. -31 Year- 2014 Thana -GAYA HARIZAN District- GAYA

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1. Ram Kumar Yadav Son of Sadhu Yadav  
2. Prabhu Thakur, son of Late Nepal Thakur  
3. Chhotan Yadav, son of Sadhu Yadav  
4. Moti Yadav, son of Sadhu Yadav  
5. Sadhu Yadav, son of Late Kishun Yadav  
6. Krishna Yadav, son of Kailu Yadav  
7. Kailu Yadav, Son Late Kishun Yadav  
8. Shankar Thakur, son of Prabhu Thakur, All resident of Village-  
Sankhwa Tola Simratri, P.S.- Barachatti, District- Gaya

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dharendra Kumar  
For the Opposite Party/s : Mr. Ambika Bhagat, Spl. APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

3      05-02-2016      Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 147, 148, 149, 323, 452, 380, 427, 504, 506 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 (In short 'Act, 1989).

From the narration of the occurrence given in the FIR itself, it is apparent that a prima facie case under Sections 3(1) (x) (xi) of the Act, 1989 is made out against the accused persons.

In above view of the matter and in view of the bar created under Section 18 of the Act, 1989, the present application for grant of anticipatory bail in correction with SC/ST, Gaya, P.S. Case No. 31 of 2014 dated 22.4.2014, pending in the court of learned A.C.J.M., Sherghati, Gaya, is not maintainable and is, accordingly, dismissed.

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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