

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31915 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -ARA HARIJAN District- BHOJPUR

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1. Shankar Yadav @ Sona Shankar Singh @ Sona Shankar Yadav
2. Mohan Yadav @ Mohan Singh
Both sons of Late Ram Darshan Yadav Resident of Village- Khadra, Police
Station- Jagdishpur, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 29-08-2016 Heard Sri Devendra Kumar Singh, learned counsel ,

who was assisted by Sri Abhay Kumar, learned counsel for the

petitioners and Sri Sadanand Paswan, learned Special Public

Prosecutor.

Two petitioners, who are named as accused in
Jagdishpur S.C./ S.T. (K) P.S. Case No. 36 of 2016 registered for
the offence under section 147, 149, 341, 323, 504, 506 of the
Indian Penal Code and section 3 (i), (v) and (x) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act have
prayed for grant of bail in the event of their arrest.

By way of referring to the F.I.R. learned counsel for the
petitioners submits that land dispute in between the parties was

going on since long. He further submits that there is general and omnibus allegation. There is no specific accusation that these two petitioners committed offence under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act. Accordingly a prayer has been made for grant of anticipatory bail.

Learned Additional Public Prosecutor opposing the prayer submit that from perusal of the F.I.R. itself there is material to attract the provisions under the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act. He further submits that in view of Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, anticipatory bail petition is not maintainable.

After hearing and considering the facts disclosed in the F.I.R. the court is of the opinion that anticipatory bail petition may not be entertained.

The petition stands dismissed.

(Rakesh Kumar, J)

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