

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47811 of 2015

Arising Out of PS.Case No. -4489 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

- =====
1. Shiv Charan Sah @ Majhua .
 2. Fuleshwar Sah both sons of Buddhu Sah null
 3. Arjun Sah
 4. Ram Prasad Sah @ Khokha
 5. Ram Bilas Sah @ Mukhiyal, all sons of Lakshmi sah
 6. Baijnath Sah @ Thenga @Baidhyanath sah
 7. Munna Prasad Sah @ Munna Sah
 8. Shankar Sah, all sons of Arjun Sah
 9. Santosh kumar Sah son of Ram Bilash Sah @ Mukhiya ,
All R/o Village -Mobaiya Asja PS. Baisi ,District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rameshwar Bosak @ Chaupal son of late Jhalu Lal Bosak
R/o Village- Asja Mobaiya Ps. Baisi District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate
Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Party No.1: Mr. Ram Shankar Das, Spl. P.P.

For the Opposite Party No.2: Mr. Amit Kumar Anand, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

5 12-02-2016

Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 380, 504, 452 and some other allied offences under the Indian Penal Code as also under Sections 3 (i) (x) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short, “SC/ST Act,1989”).

Taking into consideration the fact that the cognizance has been taken against the accused persons including the petitioners for offences under Section 3 (i) (x) of the SC/ST Act, 1989 and in view of the bar created under Section 18 of the SC/ST Act, 1989, 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 grant of anticipatory bail in connection with C.A. No. 4489 of 2014 pending in the court of the learned Chief Judicial Magistrate, Purnea is 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 on its own merits without being prejudiced by the rejection of their prayer for grant of anticipatory bail by the present order.

(Birendra Prasad Verma, J)

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