

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14561 of 2016

Arising Out of PS.Case No. -1488 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

1. Bhola Singh, son of Late Awadh Singh, resident of Village- Ohari, P.S.-
Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manti Devi wife of Maheshwar Das, resident of Village- Pachohiya, P.S.-
Kadirganj, O.P.- Nawada District- Nawada.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
Mr. Shashank Shekhar
For the Opposite Party/s : Mr. Pushpa Sinha(App)
For the Informant : Mr. Durgesh Nandan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Complaint Case No. 1488 of 2015, disclosing
offences under Section 376D of the Indian Penal Code and
Sections 3 (i) (iii) (xi) of the Schedule Castes and Schedule
Tribes (Prevention of Atrocities) Act.

This application cannot be entertained for two
reasons. Firstly, there is a bar under Section 18 of the
Schedule Castes and Schedule Tribes (Prevention of
Atrocities) Act, 1989, from entertaining application for

anticipatory bail. Secondly, this application arises out of a complaint case and the petitioner can seek regular bail in terms of the decision of this Court in the case of **Salim Ansari @ Md. Salim Ansari v. The State of Bihar**, reported in **2015 (3) PLJR 807**.

Accordingly, the petitioner is directed to appear before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application shall be considered in the light of the observations as made above and disposed of on the same day.

This application is accordingly disposed of.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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