

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34495 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -ASSAON District- SIWAN

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1. Rohit Singh, Son of Late Hem Narain Singh
2. Rajnish Singh, son of Manoj Singh
Both resident of Village Nahuni, Police Station- Assaon, District- Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 05-09-2016 Heard Sri Raghav Prasad, learned counsel for
petitioners and Sri Sadanand Paswan, learned Special Public
Prosecutor for SC/ST Act.

Two petitioners, who are named as accused in Assaon
P.S. Case No. 21 of 2016 registered for offence under Sections
341, 323, 324, 307/34 of the Indian Penal Code and Section
3(1)(x) of the Scheduled Castes and the Scheduled Tribes
(Prevention of Atrocities) Act, 1989 (in short “SC/ST Act”), have
prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for petitioners
that there was case and counter case in between the parties. He
further submits that in the entire case diary, there was no injury
report, even then, offence under Section 307 of the Indian Penal

Code has been incorporated in the F.I.R. On aforesaid ground, a prayer has been made for grant of anticipatory bail.

Learned Spl.P.P., by way of referring to F.I.R., submits that on perusal of the F.I.R. itself, offence under Section 3 of the SC/ST Act is made out. In view of Section 18 of the SC/ST Act, anticipatory bail petition may not be entertained.

Besides hearing, I have perused the material on record. After going through the same, I do not find any ground to entertain the present anticipatory bail petition.

Dismissed.

(Rakesh Kumar, J.)

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