

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35968 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -ARA HARIJAN District- BHOJPUR

1. Munni Devi W/o Madan Chaudhary Resident of Village - Gola Mohalla,  
Magahiya Tola, P.S. Ara Town, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nand Pathak  
Mr. Ranjan Kumar Dubey  
Ms. Sudha Kumari

For the Opposite Party/s : Mr. Ram Shankar Das, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER

2 14-09-2016 Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This is the second application filed on behalf of  
the petitioner, for grant of anticipatory bail, arises out of  
Bhojpur SC/ST Police Station Case No. 21 of 2016,  
disclosing offences under Sections 341/354B/504/506/34 of  
the Indian Penal Code and Sections 3 (i), (x), (xi), (xii) of  
the Schedule Castes and Schedule Tribes (Prevention of  
Atrocities) Act.

This second attempt to seek anticipatory bail is  
basically on the ground that while rejecting the petitioner's  
application for anticipatory bail earlier by order, dated  
13.07.2016, passed in Criminal Misc. No. 23051 of 2016,

this Court had observed that offence under the provisions of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act is made out.

Learned Counsel for the petitioner submits that since the petitioner herself belongs to schedule caste, no offence under the provisions of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act can be said to be made out against her. He submits that the said observation may prejudice the petitioner's case before the Court below.

I do not intend to entertain this second application for anticipatory bail. It is, however, observed that any observation made in the order, dated 13.07.2016, passed in Criminal Misc. No. 23051 of 2016, should not prejudice the petitioner's case for grant of her regular bail before the Court below, if she appears before the Court below within a period of four weeks from today.

This application stands disposed of accordingly.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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