

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1228 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -KHAGAUL District- PATNA

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1. Sanjiv Kumar Jha Sono f Late Chamak Lal Jha
2. Kalanand Kumar jha Son of Late Chamak Lal Jha
3. Rajiv Kumar Jha Son of Late Chamak Lal Jha
4. Pritam Kumar Jha Sono f Rajiv Kumar Jha
5. Aayran Kumar @ Aayran Kumar Jha son of Rajiv Kumar jha All
Resident of Mohalla-Dalluchak, Shivwania Gali, P.s. Khagaul, District-
Patna

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Roy

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2017

Heard learned counsel for the appellants.

The appellants have filed the instant appeal in terms of Section 14-A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against an order dated 30.3.2017 passed by learned Special Judge S.C./S.T. Act in connection with A.B.P.No.262 of 2017 relating to Khagaul P.S. Case No.4 of 2017 registered for the offence punishable under Sections 147, 323, 504, 149 of the Indian Penal Code and Section 3 (1-x) SC and S T Act and 3(I) (r) and Section 3(2) (VK) SC/ST Act, whereby and whereunder prayer for anticipatory bail made on behalf of the appellants has been rejected.



Allegation against these appellants is that they have made derogatory remark by taking caste name of the informant and also assaulted.

It has been submitted on behalf of the appellants that the house belongs to them and they are paying rent to Municipal Corporation also. The informant has filed the present false and concocted case against the appellant and making allegation under Section 3(1) and (r) non-bailable and so far as the other sections are concerned, all sections are bailable.

Heard learned Special P.P. also.

Heard both sides and in view of the fact, as stated above, I am not inclined to grant privilege of pre-arrest bail to the appellants. However, the appellants may surrender in the court below and pray for regular bail which shall be considered by the court below and, if possible, on the same day and pass an appropriate order in accordance with law.

Accordingly, with the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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