

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1216 of 2017

Arising Out of PS.Case No. -10 Year- 2017 Thana -KANGALI District-
WESTCHAMPARAN(BETTIAH)

=====

1. QYAMUDDIN @ KHALID ANSARI @ KHALID, son of Bhikhari Ansari,
2. Gaisul Ansari, son of Izhar Ansari,
3. Bhulai Mian, son of Umar Mian, All are resident of Village- Senuriya,
P.S.- Kangali, District- West Champaran.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Akhileshwar Kumar Shrivastva
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-05-2017 Heard learned counsel for the appellants.

The appellants have filed the instant appeal in terms of Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act against the order dated 15.3.2017 passed by the learned Additional District and Sessions Judge-cum-Special Judge, Bettia, West Champaran, in connection with Kangali P.S. Case No.10/17 (G.R.No.403/17) registered for the offence punishable under Sections 341, 342, 323, 504, 506 and 366(A)/34 of the I.P.C. and under Section 3(i) x of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby and whereunder prayer for anticipatory bail made on



behalf of the appellants has been rejected.

Allegation against these appellants and other accused persons of kidnapping the daughter of the informant.

It has been submitted on behalf of the appellants that mobile and its SIM were found beneath the bed of the daughter of the informant which were supplied by the accused persons. Then the informant approached the family members of the appellants and asked where about of his daughter upon which the appellants and others 25-30 persons surrounded his house and abused by naming his caste name and they committed mar pit with the informant. As such, the informant has suspicion against them. Besides this nothing has been attributed against these appellants and there is delay in lodging the F.I.R. of nine days but its reason has not been explained. It is further submitted that the daughter of the informant left her parental house on her own sweet will as she had love affairs with Sonu.

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 on the basis of the submission, made above and pass



an appropriate order in accordance with law.

Accordingly, with the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

U		T	
---	--	---	--

