

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1549 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -UCHAKAGAON District-
GOPALGANJ

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1. Munnalal Singh, Son of Late Ram Kishun Singh.

2. Sanjai Singh @ Sanjai Kumar Singh, Son of Kashinath
Singh.

3. Raju Singh, Son of Kashinath Singh.

4. Shambhu Singh, Son of Late Ram Kishun Singh.

All resident of Jhirwa, P.S.-Uchkagaon, District-Gopalganj.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raghav Prasad, Adv.

For the State : Mr. Binay Krishna, SPL. PP

For the Informant : Mr. Harsh Singh, Adv.

Mr. Tej Pratap Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 13-06-2017

Heard the parties.

The present appeal, under Section 14(A)(2) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities), Act, 1989 (*hereinafter referred to as the
SC/ST Act*), has been preferred against an order, dated



15.04.2017, passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Gopalganj, in A.B.P. No. 632 of 2017, in connection with Uchkagaon P.S. Case No. 72 of 2016, disclosing offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code and Section 3(1) (X) of the SC/ST Act, whereby, their application for grant of anticipatory bail has been rejected, on the ground, *inter alia*, that such application is not maintainable.

On perusal of the First Information Report, it cannot be said that no offence, under the provisions of SC/ST (POA) Act, is made out. In such circumstance, dismissal of application for anticipatory bail by the court below, cannot be said to be unjustified.

However, in the facts and circumstances of the case and nature of allegation made against the appellants, it is directed that if the appellants, above named, appear before the court below within a period of three (3) weeks from today and seek regular bail, their application shall be considered and decided on the same day.

This application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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