

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1692 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -AKHODHIGOLA District- SASARAM
(ROHTAS)

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1. Ashok Singh @ Ashok Yadav Son of Harihar Yadav
2. Alok Singh @ Alok Yadav Son of Harihar Yadav
3. Manager Yadav @ Mainejer Yadav Son of Kedar Yadav All Resident of
Village- Shankarpur, Police Station- Akorhigola, District- Rohtas at
Sasaram.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan Sp.P.P

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 13-06-2017 Heard learned counsel for the parties.

The appellants are aggrieved by order, dated 02.05.2017, passed by learned First Additional Sessions Judge-cum-Special Court, Rohtas at Sasaram, whereby he has rejected the appellants' application for grant of anticipatory bail on the ground that said application is not maintainable. The appellants are accused in Akorhigola P.S. case No. 122 of 2016, registered for the offence punishable under Sections 341,323,447,379,504,506,427/34 of the Indian Penal Code and Section 3(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act).

Learned counsel appearing on behalf of the



appellants drawing my attention to the contents of the First Information Report, has submitted that the allegations are out and out malicious and no offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out.

Upon perusal of the First Information Report, I am, *prima facie*, satisfied that what has been alleged in the First Information is exaggerated version of something which had happened between the appellants and the informant out of some personal dispute. However, it cannot be said that no offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out on the basis of what has been alleged in the First Information Report. The Impugned order rejecting the appellants' application for grant of anticipatory bail as not maintainable cannot be said to be illegal, requiring interference in appellate jurisdiction.

However, in the facts and circumstances of the case, I direct that if the appellants appear before the Court below within two weeks from today and seek regular bail, their application for regular bail shall be considered and decided on the same day.

This appeal stands disposed of accordingly.

ArunKumar/-

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(Chakradhari Sharan Singh, J)

