

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1117 of 2016

Arising Out of PS.Case No. -6540 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

- =====
1. Biharani Devi @ Reena Devi wife of Arvind Prasad
 2. Amrit Prasad Mahto @ Amrit Mahto son of late Ganauri Mahto, both are resident of village Ukaura, P.S. Pakribarawan, District Nawada
- Appellant/s

Versus

1. The State of Bihar
 2. Manju Devi wife of Indradeo Chaudhary, resident of village Ukaura, P.S. Pakribarawan, District Nawada
- Respondent/s

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Appearance :

For the Appellants : Mr. Rajesh Kumar Mishra, Advocate
For the State : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

9 20-06-2017 This appeal has been preferred by the appellants for grant of pre arrest bail in connection with Complaint case No.6540 of 2015 pending in the court of Shri Sujeet Kumar, Judicial Magistrate, 1st class, Nawada.

It has been submitted on behalf of the appellants that no case is made out under the provisions of SC & ST (Prevention of Atrocities) Act as no specific allegation of abuse has been alleged against the appellants. It has also been submitted that the appellant No.1 is a lady and appellant No.2 is 80 years old and a Title Suit is going on between the parties.

Heard learned Spl. P.P. also. Learned Spl. P.P. opposed the prayer for bail on the ground that the complaint



petition itself shows that a case under the provisions of SC & ST (Prevention of Atrocities) Act is made out against the appellants as also cognizance has already been taken in this case.

In such view of the matter, I am not inclined to grant anticipatory bail to the appellants on the submissions as made above. The appellants shall surrender before the court below and make prayer for bail and the court below will consider during hearing of the bail application that the appellant No.1 is a lady and appellant No.2 is 80 years old and also consider that a Title Suit is going on between the parties and will pass appropriate orders and if possible on the same day.

With these observations, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Narendra/-

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