

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.891 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -MAHILA P.S. District- PATNA

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1. Dilip Singh, S/o Late Banshidhar Singh
2. Smt. Anita Singh @ anita Singh W/o Dilip Singh. Both resident of
Gardanibagh, Saristabagh, Rajputana, P.S. Gardanibagh, District Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur

For the Respondent/s : Smt Usha Kumari No-1

For opposite party no. 2 : Mr. Manoj Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-05-2017 Present appeal has been preferred by the appellants under

Section 14A of the Scheduled Castes/Scheduled Tribes
(Prevention of Atrocities) Act, 1989, for grant of pre arrest bail in
connection with Mahila Thana P.S. Case No. 45 of 2016, for
offences punishable under Sections 498A and 34 Indian Penal
Code and Section 3(i)(x)(xi) of SC/ST Act.

Allegation against the appellants, who are father-in-law
and mother-in-law of the informant as per F.I.R is that they did
not allow the informant to enter in the house as she belongs to
Schedule Caste category and forced her to break the relation.

It has been submitted on behalf of the appellants that they
have falsely been implicated in this case and only general and



omnibus allegations have been made against the appellants. Further appellants have nothing to do with the affairs of their son and on the basis of allegation made by the informant, whole family members of the appellants have been made accused.

Heard learned Special Public Prosecutor also and learned counsel for the informant, they have opposed the prayer for bail.

Having heard both sides, in view of the fact that a *prima facie* case, attracting the provisions of SC/ST (Prevention of Atrocities) Act, is made out against the appellants, as such, I am not inclined to grant the privilege of pre arrest bail to the appellants, rather appellants should surrender before the court below and make above submission and the court below after considering the fact that no specific allegation has been attributed against the appellants and appellant no. 2 is a lady, shall pass an appropriate order, if possible on same day, without being prejudiced by the order of this Court.

Accordingly this appeal is disposed of.

(Vinod Kumar Sinha, J)

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