

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1156 of 2017

Arising Out of PS.Case No. -1512 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Mina Devi W/o Ram Shobhit Sah
2. Savita Kumari D/o Ram Shobhit Sah
3. Ravita Kumari D/o Ram Shobhit Sah, All 1 to 3 Resident of Village-
Khopa, P.S.- Runnisaidpur, District- Sitamarhi.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Chandra
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-05-2017 Heard learned counsel for the appellants.

The appellants have filed the instant appeal in terms of Section 14(A) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 21.01.2017 passed by the learned 1st Additional Sessions Judge, Sitamarhi in connection with A.B.P. No. 57 of 2017 relating to Complaint No. C 1/ 1512/15, registered for the offence punishable under Sections 147, 504, 323, 341 I.P.C. and Sections 3(i)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby and whereunder prayer for anticipatory bail made on behalf of the appellants has been rejected.

Allegation, as per the complaint petition against the



appellants, is that they along with other accused persons have assaulted the complainant and others and further allegation is that by taking cast name “chamar” the appellants and others pushed the complainant and obstructed him from going to temple.

It has been submitted on behalf of the appellants that the appellants have been falsely implicated in this case due to land dispute and no such occurrence had taken place

Heard learned Special P.P. and the learned counsel for the complainant.

Heard both sides and in view of the fact a prima facie case constituting an offence under Section 3(i)(r)(s) SC & ST (P.O.A.) Act is made out, I am not inclined to grant privilege of pre-arrest bail to the appellants. However, as the appellants are ladies, they may surrender in the court below and pray for regular bail which shall be considered by the court below merely on the basis of the materials available on record, on the same day and pass an appropriate order in accordance with law.

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

(Vinod Kumar Sinha, J)

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