

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.919 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -KHIJARSARAI District- GAYA

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Sanni Kumar @ Senny Kumar @ Sanny Kumar S/o Shivjee Mahraj @
Binod Kumar, Resident of Village- Kutalupur, P.S.- Khizarsarai, District-
Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Deepak Kumar, Adv.

Mr. Dhananjay Kr.Gupta, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-05-2017

Heard learned counsel for the appellant.

The appellant has filed the instant appeal in terms of Section 14A-2 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 24.08.2016 passed by the learned Spl. Judge S.C./S.T. in connection with Khizarsaria P.S. Case No. 149 of 2016, registered for the offence punishable under Sections 366(A), 376 of the I.P.C. and Sections 3(i)(xi), 3(i)(xi), 3/2(v) 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.

The prayer of the appellant in this case is of grant of the privilege of pre-arrest bail. The allegation against the



appellant is that he committed rape upon the daughter of the informant in a house by giving threat.

It has been submitted on behalf of the appellant that the appellant has been falsely implicated in this case and he has committed no offence.

Heard learned Special P.P. also. The learned Special P.P. opposes the pre-arrest bail of the appellant.

Heard both sides and in view of the fact, as stated above, I am not inclined to grant privilege of pre-arrest bail to the appellants. However, he may surrender in the court below and pray for regular bail which shall be considered by the court below on its own merit 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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