

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1301 of 2017**

Arising Out of PS.Case No. -29 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA  
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1. Bilash Mahaldar,  
2. Kamdeo Mahaldar  
3. Bhim Lal Mahaldar, Both Sons of Late Vasudeo Mahaldar  
4. Dhananjay Mahaldar  
5. Sanjay Mahaldar, Both Sons of Bhimlal Mahaldar  
6. Amar Mahaldar  
7. Murari Mahaldar, Both Sons of Bilash Mahaldar  
8. Pankaj Mahaldar  
9. Ranjit Mahaldar Both S/o Kamdeo Mahaldar  
All Resident of Baniyapatti, P.S.- K.Nagar, District- Purnea.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Syed Mohammad Shabbir Alam

For the Respondent/s : Mr. Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      22-05-2017      The appellants seek anticipatory bail in connection with K. Nagar P.S. Case No. 29/2017, registered for offences punishable under Sections 147, 149, 341, 323, 448, 353, 354, 504 and 506 of the Indian Penal Code and Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Act.

Prosecution story is that on 21.01.2017, the informant was advertising the human chain, when the appellants stopped them and threaten them not to advertise the human chain and abused them. Thereafter, the appellants again attacked the house of the informant beaten his mother, sister, wife and brother and



also abused all of the family members by calling their caste name and further torn the clothes of mother of the informant.

It has been submitted on behalf of the appellant that they have falsely been implicated in this case and only general and omnibus allegations have been made against all the accused persons. They have neither assaulted nor abused anyone.

Learned Special Public Prosecutor opposed the prayer for bail.

Having heard both sides, in view of the allegations, *prima facie* case under Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Act, is made out against the appellants, as such, this appeal is not maintainable rather appellants surrender before the special court and make prayer for regular bail and if any such application is filed the special court after considering the above submissions of learned counsel for the appellants, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

**(Vinod Kumar Sinha, J)**

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