

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.932 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -SC/ST District- SARAN

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1. Chandrawati Devi @ Chandrawali Kuer @ Chandrawati, wife of late Thakur Bhagat
2. Sunita Kumari, daughter of late Thakur Bhagat
3. Rina Devi @ Rima Devi, wife of Rajendra Bhagat
4. Hira Devi @ Hiran Devi, wife of Upendra Bhagat
All residents of village-Kaura Dhauru, P.S.-Manjhi, District-Saran, Chapra.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2017 The appellants seek anticipatory bail in connection with Saran SC/ST P.S. Case No.48 of 2016 registered for the offences punishable under Sections 341, 323, 379, 504 and 354/34 of the Indian Penal Code and Section 3(i) (xi) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellants, as per FIR, is that they have assaulted the informant and also abused him by taking his caste name.

It has been submitted on behalf of the appellants that falsity of the prosecution case will appear from the fact that for the occurrence of same day the appellant no.1 lodged the case on 2.8.2016 and thereafter informant and others started putting



pressure upon the appellants for withdrawing the case for which he has filed Informatory Petition and thereafter this present case has been filed by the informant on 4.8.2016 just to save their skin from the aforesaid case.

Heard learned Special P.P. also.

Having heard both sides, in view of having prima facie case against the appellants under the above mentioned Section of SC/ST Act, this appeal for grant of anticipatory bail is not maintainable, rather appellants to surrender before the special court and make prayer for regular bail before the special court which will be considered by the court on the basis of the materials as well as submissions advanced by the learned counsel for the appellants and after considering the same dispose of their application without being prejudiced by the order of this Court, if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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