

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3463 of 2017

Arising Out of PS.Case No. -224 Year- 2017 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sunil Kumar Sahani
2. Binod Kumar Sahani both s/o Ram Ekbal Sahani
3. Harekrishan Sahani s/o late Mahadeo Sahani All R/o vill Koerighowa,
P.S. Pipra, Dist E. Champaran.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Dhannjay Kumar No 2, Adv.

For the Respondent/s : Mr. Madhuresh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 20-02-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st A.D.J.-cum-Special Judge, SC/ST East Champaran Motihari in connection with Pipra P.S.Case No. 224 of 2017 registered under Sections 447, 341, 323, 307, 504/34 of the Indian Penal Code as well as under Sections 3 (i)(iii)(XI) of the Scheduled Castes and Scheduled Tribes Act.

Submission of the learned counsel for the appellants is that there is no specific allegation against the appellants. Moreover, there is case and counter case. The



appellants had also sustained injury during occurrence.

A bare perusal of the FIR would reveal that the offence under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is attracted against the appellants. Hence, bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act to entertain prayer for anticipatory bail is applicable. Therefore, this appeal has got no merit.

Accordingly, it stands dismissed.

The learned court below shall not prejudice by this order in the event of consideration for regular bail by the appellants.

(Birendra Kumar, J)

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