

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.24 of 2018

Arising Out of PS.Case No. -158 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Baijnath Sah @ Vaijnath Sah, Son of Late Jawahar Sah,
2. Sunil Sah @ Sunil Kumar, Son of Baijnath Sah,
3. Santosh Sah @ Santosh Kumar Sah, Son of Baijnath Sah,
4. Shiv Shankar Sah, Son of Late Hiralal Sah, All resident of Village-
Dharmpur Ramraj, P.S.- Desri (Chandpura O.P.), District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kishore Thakur, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 09-03-2018

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 Additional Sessions Judge-I, Vaishali at Hajipur in connection with Desri P.S.Case No. 158 of 2015, G.R.No.3225 of 2015 registered under Sections 143, 447, 341, 323, 325, 504 of the Indian Penal Code as well as under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

It has been informed that cognizance has already been taken in this case under the provisions of SC/ST Act also after finding prima facie case against the appellants.



Hence, bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is applicable. Therefore, this appeal against refusal of the prayer for anticipatory bail is not maintainable.

Accordingly, it stands dismissed as not maintainable with liberty to the appellants to surrender and pray for regular bail which shall be disposed of without being prejudiced by this order and considering the fact that the offences of the Indian Penal Code are bailable.

(Birendra Kumar, J)

Nitesh/-

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