

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.276 of 2019

Arising Out of PS. Case No.-503 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. Lalita Devi, wife of Awdhesh Sharma,
 2. Amit Kumar, son of Awdhesh Sharma
- both residents of village Mathiya di, Barhi Tola P.S.-Chhatauni, Dist.-East
Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Binod Kumar Mishra
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This is an appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 01.12.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST(Prevention of Atrocities) Act East Champaran, Motihari in connection with Muffasil P.S.Case No. 503 of 2018 registered under Sections 30234 of the Indian penal Code and Sections 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants is that they called the deceased and cut his private part and they are named in the FIR.

Submission of learned counsel for the appellants is that



appellants have been falsely implicated in this case as there is no eye witness of the occurrence and appellant no. 1 is 55 years old lady.

Heard learned Spl. P.P also.

Having heard both sides and in view of the allegation, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners. However, if petitioners surrender and pray for regular bail, the same shall be considered by the learned court below as per the material available available on record against them without being prejudiced by this order.

Accordingly, this appeal stands dismissed.

(Vinod Kumar Sinha, J)

sujit/-

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CAV DATE	
Uploading Date	
Transmission Date	

