

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 1064 of 2019**

Arising Out of PS. Case No.-217 Year-2017 Thana- MUFFASIL District- Aurangabad

1. Santosh Kumar, Son of Ajay Singh
2. Sujeet Kumar Son of Ajay Singh

Both Resident of Village - Kunda, P.S.- Muffasil, Distt - Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Prasad Singh, Sr. Advocate. Mr. Saket Kumar Singh, Advocate.
For the Respondent/s	:	Mr. Binay Krishna, Spl PP

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

Date : 28-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 04.02.2019 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in ABP No. in Muffasil P.S. Case No. 217 of 2017 registered under Sections 323, 341, 354, 379, 504/34 of the Indian penal Code and Sections 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per FIR is that on the land of which the informant is Bataedar, appellants came variously armed with and abused him and also assaulted him and others.



Submission of learned counsel for the appellants is that land belongs to the appellants and further there is case and counter case in between the parties and even from the impugned order it will appear that the learned Additional Sessions Judge has doubt about the implication of Section 379 of IPC.

Heard learned Spl. P.P also and perused the record. It appears that appellant was granted benefit of Section 41(a) of Cr.P.C. by the police

In view of the facts and circumstances, as stated above, let appellants surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

