

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1423 of 2019**

Arising Out of PS. Case No.-14 Year-2015 Thana- DULHIN BAZAR District- Patna

1. Pappu Singh Son of Manoj Singh
 2. Mantu Singh @ Mantu Sharma Son of Satyendra Singh @ Satyendra Narayan Singh
 3. Niraj Singh @ Niraj Kumar Son of Satyendra Singh @ Satyendra Narayan Singh
- All are Resident of Village - Khapuri, P.s.- Dulhin Bazar, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ansul

For the Respondent/s : Mr. Binay Krishna, Spl. PP.

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

Date : 10-04-2019

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 01.03.2019 passed by the learned Special Judge, SC/ST Act, Patna in ABP No. 1538 of 2019 arising out of Dulhin Bazar P.S. Case No. 14 of 2015 registered under Sections 323, 341 and 379/34 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they came at the door of the informant in drunken condition and abused and assaulted him. It further appears that appellant no. 1 has no



criminal antecedent however appellant no. 2 and 3 have three cases against them.

Submission of learned counsel for the appellants is that due to construction of *Nala*, occurrence took place and no specific allegation has been attributed against them and considering the same, the police has also released the appellants on filing undertaking before the police under Section 41(1) of the Cr.P.C.

Heard learned Spl. P.P also.

Having heard both sides and 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 by the court below on the basis of materials available on record and also that they were earlier released by the police on giving undertaking before them and they have not misused the same, he shall dispose of the matter, without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

