

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.142 of 2019**

Arising Out of PS. Case No.-76 Year-2017 Thana- DEO District- Aurangabad

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1. Munna Singh
 2. Vishwaranjan Singh @ Vishwaranjan Kumar Singh

Both sons of Shailendra Singh.

3. Nand Kumar Singh @ Nandan Kumar Singh son of Sunil Singh
4. Bipin Kumar @ Bipin Kumar Singh son of Krishna Singh

All are residents Village- Dhanawan, p.s.- Deo, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Mukesh Kumar, son of Krishna Ballabh Paswan resident of Village- Bhadoukhar , p.s.-Deo, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar
For the Respondent/s	:	Mr.Binay Krishna

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

Date : 11-03-2019

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 07.08.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in connection with Deo P.S.Case No. 76 of 2017 registered under Sections 447, 504 and 506/34 of the Indian penal Code and Sections 3(i)(r)(s)/3(i)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Allegation against the appellants is of father of the informant had settled the land of Plot No. 100 and 291 area 75 and 45 decimals and on 02.08.2017 at 1:30 P.M. when he along with his brother has gone to plough the land, accused persons including the appellants came variously armed and started abusing him by caste name and also threatened him to leave the land.

Submission of learned counsel for the appellants is that as a matter of fact land belongs to the school which has been settled in the name of the informant and as such appellants were protesting against the same along with other accused persons and for that a false and concocted case has been lodged against them making some ornamental allegations. He submits that appellants are on police bail and they have not misused the privilege of the same.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to them rather they should 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 on its own merit without being prejudiced



by this order. The court below shall also consider that the appellants were on police bail and have not misused the same and dispose of prayer of anticipatory bail, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

