

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1991 of 2019**

Arising Out of PS. Case No.-9 Year-2017 Thana- SC/ST BAGHA District- West Champaran

1. PINTU PANDEY @ ARVIND KUMAR GAUTAM @ ARVIND KUMAR PANDEY Son of Nanhe Pandey Resident of Village - Bankatwa, P.S.- Bagaha, Dist.- West Champaran.
2. Alok Pandey @ Alok Kumar Pandey @ Kuki Son of Sudhir Pandey Resident of Village - Bankatwa, P.S.- Bagaha, Dist.- West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Prithvi Nath Mishra
For the Respondent/s	:	Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 16-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 19.02.2019 passed by learned Addl. District and Sessions Judge -1st -cum- Special Judge West Champaran at Bettiah in connection with Bagaha P.S. Case No. 09 of 2017 registered under Sections 341, 323, 504, 353, 506 and 34 of the Indian Penal Code and Section 3(i)(r) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellants submits that the appellants who are of clean antecedent, are innocent and have not committed any offence. In fact, the



appellants have falsely been made accused in this case on account of protest made by them against the illegal demand raised by the official. No specific case is made out against these appellants. Hence, the appellants may be granted the privilege of pre-arrest bail.

Learned counsel for the State has opposed the prayer for bail and submitted that these petitioners have assaulted the government official and abused them by taking their cast name.

Considering the facts and circumstances of the case, this Court is not inclined to grant the pre-arrest bail to these appellants. Accordingly, the prayer for grant of pre-arrest bail of these petitioners is rejected.

Accordingly, this appeal is dismissed.

(Arvind Srivastava, J)

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Uploading Date	
Transmission Date	

