

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.136 of 2019**

Arising Out of PS. Case No.-50 Year-2018 Thana- SC/ST District- Jamui *

1. Sunita Devi wife of Late Bhikhari Mistri
2. Raju Kumar
3. Roshan Kumar

Both sons of Late Bhikhari Mistri

All Residents of Village - Mahiyadda P.S.and District-Jamui.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prakash Mahto

For the Respondent/s : Smt Usha Kumari No-1

**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 01.11.2018 passed by the learned Addl. Sessions Judge 1st , Jamui in ABP No. 853 of 2018 arising out of Jamui SC/ST P.S.Case No. 50 of 2018 registered under Sections 323, 341, 406, 420, 504 and 506/34 of the Indian penal Code and Sections 3(1)(r)/3(2)(a)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they made an



agreement for sale of the land and taken Rs. 14,50,000/- for the same also but in spite of that they did not execute the sale deed and when informant demanded money back, he was abused by caste name and also assaulted him.

Submission of learned counsel for the appellants is that whole allegation is false and concocted and there is no paper to show payment of Rs. 14,50,000/- was made or not.

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 and disposed of on its own merit without being prejudiced by this order.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

