

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4233 of 2018

Arising Out of PS. Case No.-171 Year-2018 Thana- AWTARNAGAR District- Saran

1. Johan Rai and Anr
2. Bhageran Rai, Both sons of Late Musafir Rai, resident of Village- Paschim Balua, P.S.- Doriganj, District- Saran at Chapra.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dewendra Narayan Singh
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 28.9.2018 passed in ABP No.3159 of 2018 (Awatar Nagar p.S.Case no.171 of 2018) for the offences punishable under Section 188, 341, 323, 324, 379, 307, 332, 333, 353, 504, 506, 34 of the Indian Penal Code and Section 3(i)(r), 3(2)(va) of SC/ST Act by the learned 1st Additional Sessions Judge, Saran at Chapra whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants is that the police party seized the tractor of the appellants with sand but they have forcibly taken away the tractor from the police custody.



Submission of the learned counsel for the appellants is that they have been falsely implicated in this case and nothing specific has been attributed against them and they have no criminal antecedent.

Hard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellants rather they are directed to surrender with a period of six weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned special Judge without being prejudiced by the order of this Court.

With the above direction, this appeal is dismissed.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
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