

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3287 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- SC/ST District- Jehanabad

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1. SANDEEP KUMAR Son of Shambhu Ram Resident of Village - Hajipur, P.S.- Kako, District- Jehanabad
 2. Sintu @ Sant Ram Son of Tribhuan Ram Resident of Village - Hajipur, P.S.- Kako, District- Jehanabad
 3. Raushan Ram Son of Indradeo Ram Resident of Village - Hajipur, P.S.- Kako, District- Jehanabad
 4. Rohit Kumar Son of Raushan Ram Resident of Village - Hajipur, P.S.- Kako, District- Jehanabad
 5. Pintu Kumar Son of Tribhuan Ram Resident of Village - Hajipur, P.S.- Kako, District- Jehanabad

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3532 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- SC/ST District- Jehanabad

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1. UMESH RAM Son of Late Nandu Ram Resident of Village - Hajipur, P.S.- Kako, Dist.- Jehanabad.
 2. Ramu Kumar Son of Umesh Ram Resident of Village - Hajipur, P.S.- Kako, Dist.- Jehanabad.
 3. Sameer kumar Son of Umesh Ram Resident of Village - Hajipur, P.S.- Kako, Dist.- Jehanabad.
 4. Kanti Devi W/o Umesh Ram Resident of Village - Hajipur, P.S.- Kako, Dist.- Jehanabad.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3287 of 2019)

For the Appellant/s : Mr.Sunil Srivastava

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 3532 of 2019)

For the Appellant/s : Mr.Ranjay Kumar Singh

For the Respondent/s : Mr.Binay Krishna



CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-11-2019 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 31.05.2019 passed by learned A.D.J.-1st, Jehanabad in connection with Jehanabad SC/ST P.S. Case No. 18 of 2019 registered under Sections 147, 148, 149, 323, 324, 307, 379 and 354 of the Indian Penal Code and Section 3(1)(r)(s)(w), 3(2)(Va) 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 are innocent and have not committed any offence. In fact, there is case and counter case between the parties and no specific case is made out against the appellants. Hence, the appellants may be granted the privilege of pre-arrest bail.

Learned Special A.P.P. appearing for the State has opposed the prayer for pre-arrest bail of these appellants and submitted that these appellants have been named in the F.I.R. with specific allegations that they have abused the informant by his caste name and have assaulted the informant and his family members. Therefore, these appellants are not entitled to get privilege of pre-arrest bail.



Considering the facts and circumstances of the case,
this Court is not inclined to grant the pre-arrest bail of the
appellants. Accordingly, this appeal is dismissed.

(Arvind Srivastava, J)

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