

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4145 of 2019**

Arising Out of PS. Case No.-49 Year-2019 Thana- MURAR District- Buxar

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1. SATENDRA KUMAR @ SATENDRA KUMAR SINGH Son of Purnwasi Singh
 2. Anil Kumar Singh @ Anil Singh Son of Dhanjee Singh
 3. Laxman Singh Son of Late Gariban Singh
 4. Sahendra Singh @ Sahendra Kumar Son of Kamal Singh
 5. Bijali Singh @ Bijuli Singh Son of Late Sriram Singh
 6. Dhanjee Singh Son of Late Shivdayal Singh
 7. Ramakant Singh Son of Late Gariban Singh
 8. Lal Bachan Singh Son of Late Sriram Singh
- All are Resident of Village - Nawadih, P.S.- Kuransarae, Distt - Buxar.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Kamal Deo Sharma, Adv
For the Respondent/s : Mr.Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 17-12-2019

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 20.08.2019 in A.B.P. No.688 of 2019 passed by the learned A.D.J.-1st-cum-Special Judge, Buxar in connection with Murar P.S.Case No. 14 of 2019 registered under Sections 147, 148, 149, 341, 324, 354(B), 307, 379, 504, 506 of the Indian Penal Code and



Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Since the FIR discloses commission of assault etc against a member of the scheduled caste by the appellants, this prayer for anticipatory bail is not maintainable.

The learned Special Judge has also considered non-maintainability of the prayer for anticipatory bail. Hence, I am not inclined to interfere with the impugned order.

Accordingly, this appeal stands dismissed.

However, in the event of surrender of the appellants and prayer for regular bail, the learned court below shall consider the same without being prejudiced by this order and also considering the fact that in the counter case containing more grievous allegation, the co-accused have been allowed bail by the learned court below.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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