

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3949 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- DAUDNAGAR District- Aurangabad

1. Amresh Kumar @ Batasa,
2. Akhilesh Kumar @ Akhilesh Kumar Yadav,
3. Mithilesh Kumar @ Mithalesh Kumar Yadav
All 1 to 3 are S/o Awadesh Yadav,
4. Rajesh Kumar @ Rajesh Kumar Yadav, S/o Bishwanath Yadav,
5. Gyantosh Kumar @ Gyantosh Kumar Yadav, S/o Vijay Singh,
All R/o Village- Tarar, P.S.- Daudnagar, District- Aurangabad (Bihar).

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lal Bahadur Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-01-2019 This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 30.08.2018 passed by the 1st Additional District and Sessions Judge-cum-Spl. Judge (SC/ST) Act, Aurangabad in connection with Daudnagar P.S.Case No. 37 of 2018 registered under Sections 323,341,447 and 504/34 of the Indian penal Code and Sections 3 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants and other accused persons is of assaulting the informant and others and abused them by naming caste.



Submission of learned counsel for the appellants is that no specific allegation has been attributed and they are on police bail and have not misused the privilege of police bail.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is disposed of with a direction to the appellants, named above, to surrender before the court below 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 by the learned Spl. Judge on the basis of materials available on record and also considering the fact that they, being on police bail, have not misused the same, try to dispose of the same, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

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