

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4411 of 2018

Arising Out of PS. Case No.-51 Year-2016 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Upendra Rai,
 2. Supindra Rai, Both Sons of Sonelal Rai, R/o Village- Jhaua, P.S.- Hathauri,
District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amit Kumar Rakesh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-01-2019 By way of this memo of appeal, preferred under Section 14(A)(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 2016, appellants seek for setting aside the order dated 26.09.2018, passed in Complaint Case No. 51/2016 for the offences punishable under Sections 147, 148, 323, 341, 504 of the Indian Penal Code and Section 3(i)(x) of SC/ST Act, by the learned 11th A.D.J.- cum-Special Judge (SC/ST) Act, Muzaffarpur, whereby and whereunder, appellants' application for grant of anticipatory bail has been rejected.

Allegation against the appellants is that they abused the complainant by caste name when he refused to work in the field of petitioners.

It has been submitted on behalf of the appellants that



no specific allegation has been attributed to the appellants and they have no criminal antecedent and have falsely been roped in the present case.

Learned Special P.P. opposed the prayer for bail and submitted that there is direct allegation against the appellants that they abused the complainant by caste name.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the appellants, however, this appeal is disposed of with direction to the appellants to surrender before the court below and pray for regular bail and if any such application is filed, the court below shall dispose of the same on the basis of materials available on record, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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