

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4947 of 2019

Arising Out of PS. Case No.-42 Year-2017 Thana- COMPLAINT CASE District- Supaul

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1. MD. SHAUKAT ALI @ MD. SHAUKAT Son of Lal Mohammad Resident of Village- Chandragarh, Khushiyali, P.S.- Marauna, District- Supaul.
 2. Md. Shamim Ahmad @ Md. Shamim Son of Late Md. Ibrahim Resident of Village- Chandragarh, Khushiyali, P.S.- Marauna, District- Supaul.
 3. Tek Narayan Yadav Son of Late Janak Yadav Resident of Village- Chandragarh, Khushiyali, P.S.- Marauna, District- Supaul.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Nathuni Sada Son of Ganu Sada Resident of Village- Chandragarh, Ganaura, P.S.- Marauna, District- Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amar Nath Yadav
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-12-2019 Appellants seek pre-arrest bail in connection with Complaint Case No. 42c of 2017 in which cognizance has been taken under Sections 341, 323, 34 of the Indian Penal Code and Section 3 (i)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per complaint case the prosecution case is that when complainant approached one co-accused for inserting his name in the list of beneficiaries of flood relief he was abused by taking caste name and further allegation is that wife of complainant was misbehaved by the appellants.



Submission of learned counsel for the appellants is that there is delay of five days in lodging complaint case and allegation of abuse is against other co-accused persons and there is general allegation against the appellants.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellants stating that cognizance has been taken against the appellants and there is also serious allegation against the appellants that they tried to outrage the modesty of wife of informant.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant the privilege of anticipatory bail to the appellants. They have to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

This appeal is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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