

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4989 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- MOKAMAH District- Patna

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1. MANISH KUMAR Son of Late Ado Yadav Resident of Village- More West, P.S.- Mokama, District- Patna.
 2. Uday Kumar Yadav @ Uday Kumar Son of Late Kamleshwari Yadav Resident of Village- More West, P.S.- Mokama, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailendra Kumar Jha
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 Special Case No. 182 of 2019, arising out of Mokama P.S. Case No. 74 of 2019 registered for the offences punishable under Sections 341, 323/34, 325, 379 of the Indian Penal Code and Section 3 (a) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR in the Barat party appellants misbehaved with the female members of the informant and further specific allegation is that appellants assaulted the informant by fists and slaps and thrashed him on the ground and appellant No.2 has taken his Mobile phone and appellant No.1 has snatched his motorcycle.



Submission of learned counsel for the appellants is that no case is made out under the provisions of SC/ST Act and allegations are general in nature.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellants stating that case is made out under SC/ST Act, as such this application is not maintainable.

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 and, if possible, to be disposed of on the same day.

Accordingly, this appeal is disposed of with the above observation.

(Vinod Kumar Sinha, J)

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