

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5377 of 2019

Arising Out of PS. Case No.-320 Year-2019 Thana- PATAHI District- East Champaran

1. BIKAU MIAN @ MD. JAINUL Son of Md. Majanu @ Majanu Miya Resident of Village- Jihuli, P.S.- Patahi, District- East Champaran.
2. Rojidan Khatoon Wife of Md. Majanu @ Majanu Miya Resident of Village- Jihuli, P.S.- Patahi, District- East Champaran.
3. Runi Khatoon Daughter of Bikau Mian @ Md. Jainul Resident of Village- Jihuli, P.S.- Patahi, District- East Champaran.
4. Rubi Khatoon Daughter of Bikau Mian @ Md. Jainul Resident of Village- Jihuli, P.S.- Patahi, District- East Champaran.
5. Mehnaj Khatoon @ Falak Khatoon Daughter of Bikau Mian @ Md. Jainul Resident of Village- Jihuli, P.S.- Patahi, District- East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Shankar Shrivastava
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-12-2019 Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 18.11.2019 passed in Patahi P.S.Case No.320 of 2019 dated 15.10.2019 for the offences punishable under Sections 323, 341, 354A, 379/ 34 of the Indian Penal Code and Section 3/4 of the Dian Act and Sections 3(X)(XI)(I) of SC/ST Act by the learned 1st Addl. Sessions Judge cum Special Judge SC/ST, East Champaran, Motihari whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.



Allegation against the appellants is that on suspicion of being Dine, they tried to administer night soil to the informant and specific allegation has been attributed against all the appellants.

Submission of the learned counsel for the appellants is that no specific allegation has been attributed against the appellants and there is delay of two days in lodging of the FIR.

Heard learned Special P.P. , who has opposed the prayer for bail..

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellants, however, if they surrenders and pray for regular bail, the same shall be considered on the basis of the materials against them and if possible to be disposed of on the same day.

With the above direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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