

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5613 of 2019**

Arising Out of PS. Case No.-169 Year-2018 Thana- SALIMPUR District- Patna

1. FILATE KUMAR Son of Akhilesh Singh Resident of Village - Bahadurpur, P.S.- Salimpur, Distt - Patna.
2. Buntty Kumar Son of Anil Singh Resident of Village - Bahadurpur, P.S.- Salimpur, Distt - Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anirudh Kumar Singh
For the Respondent/s : Ms.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 20-12-2019 Appellants seek pre-arrest bail in connection with Salimpur P.S.Case No. 169 of 2018 registered for the offences punishable under Sections 341, 323, 379, 354, 504, 506, 34 of the Indian Penal Code and Sections 3 (i)(r)/3(i)(w) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR appellants are said to have entered inside the house of the informant, assaulted him and also taken away the articles.

Submission of learned counsel for the appellants is that there is no allegation of abusing the informant by caste name against the appellant in public view.

Heard learned Special P.P., who has opposed the



prayer for pre-arrest bail of the appellants stating that prima facie case is made out against the appellants under SC/ST Act and there is allegation of assault also, 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. However, if they surrender and pray for regular bail, the same shall be considered on its own merit, without being prejudiced by this order.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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