

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4070 of 2018

Arising Out of PS. Case No.-48 Year-2017 Thana- BATH District- Bhagalpur

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1. Soni Mandal Son of Muneshwar Mandal
 2. Dilip Mandal Son of Mirkhan Mandal
 3. Shambhu Mandal Son of Mirkhan Mandal
 4. Ambhu Mandal @ Abho Mandal Son of Mirkhan Mandal
 5. Kapildeo Mandal Son of Late Mangal Mandal
 6. Basu Mandal @ Basudeo Mandal Son of Late Mangal Mandal
 7. Mirkhan Mandal son of Late Mangal Mandal
 8. Ashok Mandal Son of Bande Mandal
- All Resident of Village-Deshawar,P.S. Bath,Distt.-Munger

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-01-2019 This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 26.09.2018 passed by the 3rd Additional District and Sessions Judge-cum-Spl. Judge, Bhagalpur in ABP No. 2256 of 2018 arising out of Bath P.S.Case No. 48 of 2017 registered under Sections 147,149,323,448 and 504 of the Indian penal Code and Sections 3(i)(r)/3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 .

Allegation against the appellants and other accused persons is of assaulting the informant and also of abusing by



caste name.

Submission of learned counsel for the appellants is that no specific allegation has been attributed and they are on police bail and have not misused the privilege of police bail.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is disposed of with a direction to the appellants, named above, to surrender before the court below within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered by the learned Spl. Judge on the basis of materials available on record and also considering the fact that they, being on police bail, have not misused the same, try to dispose of the same, if possible, on the same day.

(Vinod Kumar Sinha, J)

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