

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3788 of 2019**

Arising Out of PS. Case No.-89 Year-2019 Thana- MOTIPUR District- Muzaffarpur

1. MANGAL RAI, Son of Late Jugeshwar Rai
2. Mukesh Kumar @ Mukesh Rai, Son of Tun Tun Rai, Both Resident of Village - Morsandi, P.S.- Motipur, Dist.- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ganesh Prasad Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 13-02-2020

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 15.05.2019 in A.B.P No. 1503 of 2019 passed by the learned 11st Additional Sessions Judge-cum-Special Judge S.C./S.T. Act, Muzaffarpur in connection with Motipur P.S. Case No. 89 of 2019 registered under Sections 147, 148, 149, 341, 324, 307, 379, 435, 504/34 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.



The appellants and others were abused and assaulted for the reason that informant and other members were going to celebrate the birth day of Ravidas.

Learned counsel for the appellants submits that allegation is general and omnibus.

Since, prima facie, accusation is there of commission of offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, I am not inclined to enlarge the appellants on anticipatory bail.

Accordingly, this appeal against refusal of the prayer for anticipatory bail stands dismissed.

However, in the event of surrender and on prayer for regular bail by the appellants, prayer shall be considered without being prejudiced by this order and on its own merit.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	14.02.2020
Transmission Date	14.02.2020

