

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4201 of 2019

Arising Out of PS. Case No.-166 Year-2013 Thana- FATEHPUR District- Gaya

1. BIHARI YADAV Son of Rupa Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
2. Chhatis Yadav @ Satish Yadav Son of Latan Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
3. Lalan Yadav Son of Latan Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
4. Ranjit Yadav Son of Baljit Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
5. Mahendra Yadav Son of Latan Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
6. Shankar Yadav Son of Anat Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.
7. Jahindra Yadav Son of Chhotan Yadav Resident of Village- Khajuri, P.S.- Fatehpur, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prithivi Raj Singh, Advocate.
For the Respondent/s : Mr.Usha Kumari 1, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 14-02-2020 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 against the refusal of prayer for anticipatory bail vide order dated 08.08.2019 by the learned Exclusive Special Judge, SC/ST Act, Gaya in A.B.P. No. 213 of 2019, arising out of Fatehpur P.S. Case No. 166 of 2013



registered under Sections 147, 149, 341, 323 and 504 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A bare perusal of the F.I.R. apparently discloses accusation of commission of offence under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, hence prayer for anticipatory bail is barred under Section 18 of the Act.

Therefore, in an application for grant of anticipatory bail, it cannot be argued that the allegation is not specific against most of the appellants.

Hence, there is no merit in this appeal against the refusal of prayer for anticipatory bail. Accordingly, it stands dismissed.

However, in the event of surrender of the appellants and prayer for regular bail, same shall be considered by the court below without being prejudiced by this order.

(Birendra Kumar, J)

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