

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4261 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- SC/ST District- East Champaran

NAYAN SINGH Son of Ramraj Singh Resident of Village- Govindapur Parha
Tola, P.S.- Harsidhi, District- East Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma, Advocate.

For the Respondent/s : Mr.Binay Krishna, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 13-02-2020 Heard learned counsel for the appellant and learned

Spl. PP for the State as well as learned counsel for the

informant.

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 28.08.2019 by the learned 1st
Addl. Sessions Judge cum Special Judge (SC/ST Act), East
Champaran at Motihari in Motihari SC/ST P.S. Case No. 67 of
2019 registered under Sections 341, 323, 324, 307, 379 and 504
of the Indian Penal Code and Sections 3(i)(r)(s) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989.

The F.I.R. *prima facie* discloses accusation of



commission of offence under Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by the appellant and others, hence prayer for anticipatory bail is not maintainable.

In the aforesaid circumstance, correctness of the allegation cannot be looked into in an appeal against refusal of prayer for anticipatory bail. Accordingly, this appeal stands dismissed as devoid of any merit.

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

(Birendra Kumar, J)

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