

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4536 of 2019

Arising Out of PS. Case No.-134 Year-2019 Thana- GOGRI District- Khagaria

1. INDAL MUNI, Son of Late Parmeshwar Muni 2. Bahadur Muni @ Lal Bahadur Muni, Son of Late Parmeshwar Muni 3. Dharmendra Muni, Son of Tulo Muni, 4. Rudal Muni, Son of Banarshi Muni, All Resident of Village - Auta, P.S. - Gogri, District - Khagaria	 Appellant/s
Versus	
The State of Bihar	 Respondent/s

Appearance :

For the Appellant/s	:	Mr. Jai Kishor Poddar, Advocate
For the Respondent/s	:	Mr. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-02-2020 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 24.07.2019 in A.B.P. No. 17 of 2019 passed by the learned 1st Additional Sessions Judge, Khagaria in connection with Gogri P.S. Case No. 134 of 2019 registered under Sections 447, 341, 323, 324, 354(b), 379, 427, 504, 306/34 of the Indian Penal Code as well as Sections 3(i)(r) (s)(w) of the SC/ST Act.

The FIR, *prima facie*, discloses accusation of commission of offence, under Section 3(2)(Va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,



1989, hence, the prayer for anticipatory bail is barred under Section 18 of the Act. Therefore, in an application for anticipatory bail, it cannot be looked into that there is case and counter case and the allegation is general and omnibus. Therefore, I am not inclined to interfere with the order of refusal for anticipatory bail. Accordingly, this appeal is dismissed as devoid of any merit.

In the event of surrender of the appellants, prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

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