

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4963 of 2019

Arising Out of PS. Case No.-368 Year-2019 Thana- BARH District- Patna

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1. Vijay Singh @ Rana Vijay Singh Son of Munna Singh
 2. Bhola @ Sonu Kumar Son of Munna Ram
 3. Arun Kumar Son of Bhagwat Pandit
 4. Babloo Kumar @ Satish Kumar Son of Late Gopal Prasad
 5. Pradeep Kumar Son of Shiv Kumar Prasad
 6. Fighter @ Faitter @ Arshad Sah Son of Hasan Sah
- All are Residents of Village - Gola Road, P.S.- Barh, District- Patna
- Resident of Village - Masood Bigha, P.S.- Barh, District- Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Pandey, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-01-2020

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 bail vide order dated 13.09.2019 passed by the learned Additional Sessions Judge XX-cum-Special Judge (S.C./S.T. Act), Patna, in connection with Special Case No.373 of 2019, arising out of Barh Police Station Case No.368 of 2019, registered under Sections 341/323/337/504/506/34 of the Indian Penal Code and



Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

The FIR prima facie discloses, commission of offence under the provisions of SC/ST Act by the appellants, for the purpose of this prayer for anticipatory bail. Hence, I am not inclined to interfere with the impugned order whereby prayer for anticipatory bail was refused by the learned Court-below on the ground of its non-maintainability in view of the bar under Section 18 of the SC/ST Act. Therefore, this appeal is dismissed as devoid of any merit.

However, in the event of surrender by the appellants, their prayer for regular bail shall be considered without being prejudiced by the fact that the prayer for anticipatory bail was refused to the appellants.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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