

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5012 of 2019

Arising Out of PS. Case No.-25 Year-2018 Thana- SC/ST District- Araria

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1. SHAIENDRA SINGH @ SHAIENDRA KUMAR SINGH Son of Bindeshwari Singh Resident of Village- Paikpar, Ward No.09, P.S.- Bhargama, District- Araria.
 2. Dhirendra Singh @ Dhirendra Kumar Singh Son of Bindeshwari Singh Resident of Village-Paikpar, Ward No.09, P.S.-Bhargama, District-Araria.
 3. Bal Kishun Singh @ Rajesh Ranjan Son of Dhirendra Singh Resident of Village-Paikpar, Ward No.09, P.S.-Bhargama, District-Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramesh Kumar Singh, Advocate.

For the Respondent/s : Mr.Sadanand Paswan, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-02-2020 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 19.09.2019 by the learned 1st Addl. Sessions Judge cum Special Judge, Araria in Araria SC/ST Case No. 25 of 2018 registered under Sections 147, 148, 149, 323, 379, 380, 452, 307, 354B, 427, 447, 504 and 506/34 of the Indian Penal Code and Sections 3(i)(r)(z)(ix)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Since F.I.R. prima facie discloses commission of offence under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act as well as under POCSO Act by the appellants, hence the prayer for anticipatory bail is barred under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Accordingly, this appeal against the refusal of prayer for anticipatory bail has got no merit and it stands dismissed.

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

(Birendra Kumar, J)

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