

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5074 of 2019**

Arising Out of PS. Case No.-674 Year-2019 Thana- TURKAULIYA District- East
Champaran

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1. SUDAMA BHAR Son of Sukhdeo Bhar @ Sukdev Ray Resident of Village- Majhariya, P.S.- Raghunathpur, O.P. District- East Champaran
 2. Khush Nandan Bhar Son of Sukhdeo Bhar @ Sukdev Ray Resident of Village- Majhariya, P.S.- Raghunathpur, O.P. District- East Champaran
 3. Rajesh Thakur Son of Ram Bacchan Thakur Resident of Village- Majhariya, P.S.- Raghunathpur, O.P. 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.Sadanand Paswan, Spl.PP.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 20-02-2020 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 22.10.2019 passed by the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), East Champaran at Motihari in A.B.P. No. 3012 of 2019, arising out of Turkauliya P.S. Case No. 674 of 2019 registered under Sections 341, 447, 323, 354B, 379, 427, 448, 504 and 506/34 of the Indian Penal Code, Sections 3(i)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 3/4 of the Prevention of



Witch Practices Act.

The F.I.R. *prima facie* discloses accusation of commission of offence under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Hence, prayer for anticipatory bail is not maintainable in view of bar under Section 18 of the Act.

In the circumstance, this appeal against the refusal of prayer for anticipatory bail has got no merit. Accordingly, it stands dismissed.

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

(Birendra Kumar, J)

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