

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5182 of 2019

Arising Out of PS. Case No.-216 Year-2019 Thana- SONBERSA District- Sitamarhi

1. RAVINDRA MAHTO @ RAVINDRA KUMAR Son of Bhutan @ Dharmdev Mahto Resident of Village- Jay Nagar, P.S.- Sonbarsa, District- Sitamarhi.
2. Hiravan Rai Son of Late Feku Rai Resident of Village- Jay Nagar, P.S.- Sonbarsa, District- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 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 05.11.2019 by the learned 1st A.D.J. cum Special Judge (SC/ST Act), Sitamarhi in Sonbarsa P.S. Case No. 216 of 2019 registered under Sections 341, 342, 323 and 504/34 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 Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act, especially offence under Section 3(2)(va) of the Act read with schedule of the Act. Hence, prayer for anticipatory bail is not maintainable in view of bar under Section 18 of the Act.

Hence, this appeal against the refusal of prayer for anticipatory bail 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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