

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5600 of 2019**

Arising Out of PS. Case No.-33 Year-2015 Thana- CHANAN District- Lakhisarai

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1. SHYAM SUNDAR YADAV
 2. Sanjay Kumar Yadav @ Sanjay Yadav, Both Sons of Late Haricharan Yadav
 3. Ranjit Kumar @ Amit Kumar @ Amit Ranjan Kumar @ Amit Ranjan @
Ranjit Yadav
 4. Sanjit Kumar @ Arun Kumar, Both Sons of Shyam Sundar Yadav, All
Resident of Village - Nathudih, P.S. - Kiul, District - Lakhisarai
- Appellant/s
- Versus
- The State of Bihar
- Respondent/s
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Appearance :

For the Appellant/s : Mr. Narsingh Tanti, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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

3 26-02-2020 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 16.10.2019 in A.B.P. No. 799 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST Act), Lakhisaria in connection with Chanan P.S. Case No. 33 of 2015 registered under Sections 341, 323, 354, 379, 448, 504/34 of the Indian Penal Code as well as Sections 3(1)(x) (xi) of the SC/ST Act.

The FIR, prima facie, discloses accusation of



commission of offence, under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, hence, prayer for anticipatory bail is barred under Section 18 of the Act. Therefore, this appeal against refusal of the prayer for anticipatory bail is dismissed as devoid of merit.

However, in the event of surrender of the appellants, prayer for regular bail shall be considered without being prejudiced by this order and considering the fact that the parties have entered into a written compromise and after compromise, the fate of the trial is known to all.

(Birendra Kumar, J)

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