

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5501 of 2019**

Arising Out of PS. Case No.-72 Year-2019 Thana- TEYAR District- Bhojpur

-
1. MANORANJAN SINGH @ MANORANJAN PRASAD SINGH
 2. Sheoji Singh
Both Son of Late Lalan Singh and Resident of Village- Rangrua, P.S.- Tiyar,
Dist.- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar, Adv

For the Respondent/s : Mrs.Usha Kumari 1, APP

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

3 20-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 07.11.2019 in A.B.P. No.1871 of 2019 passed by the learned Addl. Sessions Judge-1st, Bhojpur at Ara in connection with SC/ST Case No. 124 of 2019 arising out of Tiar P.S.Case No.72 of 2019 registered under Sections 341,323,307,504,506,34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i)(r)(i)/3(2)(v)(va) of the Scheduled Castes and Scheduled Tribes Act.

The FIR discloses prima facie accusation of



commission of offence under Section 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. Therefore, prayer for anticipatory bail is not maintainable in view of the bar under Section 18 of the Act.

In the circumstance, it cannot be argued in an application for anticipatory bail that prosecution allegation is improbable because there was no reason for the informant to go towards the place of occurrence at 8.00 P.M.

In the result, I am not inclined to interfere with the order of refusal of the prayer for anticipatory bail. Accordingly, this appeal is dismissed as devoid of any merit.

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

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

