

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.1751 of 2021

Arising Out of PS. Case No.-113 Year-2014 Thana- GURUA District- Gaya

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1. RAMSWAROOP SAO, Son of Jagdish Sao Resident of Village - Nadaiyan,
P.S. - Gurua, District - Gaya.
 2. Triloki Prasad @ Triloki Sao, Son of Gaya Sao Resident of Village - Guneri,
P.S. - Gurua, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Nand Kishore Prasad Sinha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 09-07-2021 Heard Mr. Nand Kishore Prasad Sinha, learned

Advocate for the appellants and Mr. Binay Krishna,

learned Special Public Prosecutor for the State.

The appellants have challenged the order dated

02.01.2021, passed by the learned Special Judge

SC/ST, Gaya, in A.B.P. No. 209 of 2020, arising out of

Gurua P. S. Case No. 113 of 2014, whereby the prayer



made on behalf of the appellants for grant of anticipatory bail for the offences punishable under Sections 406, 384, 420 and 34 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

Though the accusation in the F.I.R. is directly related to the action of Mukhiya namely Jabbar Khan but it appears from the memo of appeal that after the charge-sheet was submitted against the appellants, they have been granted police bail.

Considering the afore-stated fact, I am not inclined to exercise my discretion for interfering with the order impugned.

The appeal is dismissed.

However, if the appellants surrender before the court below and seek bail, the court below shall take into account the fact that the appellants have been on police bail and have not misused the privilege of bail and shall



pass orders in accordance with law, without being prejudiced by the fact that the present appeal on their behalf has not been entertained by this Court.

(Ashutosh Kumar, J)

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