

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2215 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- SC/ST BETTIAH District- West
Champaran

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1. SANDEEP KUMAR @ SANDEEP KUMAR SAH Son of Late Kishun Sah Resident of Mohalla - Kali Bagh, Tola Inar, Ward No. 03, P.S. - Bettiah Town (Kali Bagh O.P.), District - West Champaran.
 2. Ram Babu Prasad @ Ram Babu Sah Son of Late Kishun Sah Resident of Mohalla - Kali Bagh, Tola Inar, Ward No. 03, P.S. - Bettiah Town (Kali Bagh O.P.), District - West Champaran.
 3. Dilip Kumar Gupta @ Dilip Kumar Sah Son of Late Kishun Sah Resident of Mohalla - Kali Bagh, Tola Inar, Ward No. 03, P.S. - Bettiah Town (Kali Bagh O.P.), District - West Champaran.
 4. Rajesh Kumar Singh @ Rajesh Singh Son of Ramadhar Singh Resident of Mohalla - Kali Bagh, Tola Inar, Ward No. 03, P.S. - Bettiah Town (Kali Bagh O.P.), District - West Champaran.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Saroj Kumar Sharma, Advocate
For the State	:	Mr.Binay Krishna, Special PP.
For the Informant	:	Mr. Akhileshwar Kumar Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the informant, who suo motu appeared in the present proceeding.

This appeal under Section 14 A(2) of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 02.02.2021 passed by learned 1st Additional Sessions Judge cum Special Judge, SC/ST, Bettiah, West Champaran in A.B.P. No. 225 of 2021 in connection with Bettiah SC/ST P.S. Case No. 28 of 2020 registered under Sections 147, 149, 341, 323, 354(b), 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s)(ii)(v-a) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

According to prosecution case, on 18.08.2020 at 8:00 A.M. while the informant's daughter after purchasing the medicine reached the door, appellant no. 1 Sandeep Kumar Sah along with co-accused Raju Prasad started teasing her calling her caste name. On protest made by the informant, the appellants along with other accused abused the informant calling her caste name and dragged her on the earth and also assaulted her. The informant further alleges that the accused persons assaulted the informant and her daughter and snatched Mangal Sutra from the neck of the informant.

Learned counsel for the appellants submits that they have falsely been implicated in the present case because the informant after encroaching the public road constructed her



house on the public road. Learned counsel further submits that the informant, namely, Indu Devi has given threatening to the appellants to implicate falsely in the case.

Learned counsel for the informant vehemently opposed the prayer for bail of the appellants and informed this court that charge sheet has already been filed on 12.01.2021 and cognizance has been taken on 27.01.2021 against all the appellants.

Considering the facts and circumstances of the case as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the appellants and, accordingly, the same stands rejected.

In the aforesaid manner, this appeal stands dismissed.

(Rajesh Kumar Verma, J)

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