

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.272 of 2021

Arising Out of PS. Case No.-62 Year-2018 Thana- VIDYAPATINAGAR District- Samastipur

1. RAJGIR PANDIT S/o Shivrath Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
2. Ram Milan Pandit S/o Vishwanath Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
3. Jagdish Pandit S/o Late Shivrath Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
4. Meghan Pandit S/o Jagdish Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
5. Ramashish Pandit S/o Late Shivrath Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
6. Arjun Pandit S/o Ramashish Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.
7. Raj Kumar Pandit S/o Ramashish Pandit Resident of Vill.- Rahimpur Pyare, P.S.- Ghatho, Distt.- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Jagdish Ram S/o Late Munilal Ram R/o village- Rahimpur, Pyare, P.S.- Ghatho, District- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Sinha, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-06-2021 Heard Mr. Alok Kumar Sinha, learned counsel for

the appellant and Mr. Binay Krishna, learned Special Public

Prosecutor for the State.

By way of the present appeal preferred under

Section 14 (a) (2) of the Schedule Castes and Schedule

Tribes (Prevention of Atrocities), Act 1989, the appellant has



challenged the order dated 02.03.2020 passed by the learned First Additional Sessions Judge, Samastipur, in Anticipatory Bail Petition No. 281/2020 arising out of Vidhyapati Nagar P.S. Case No. 62/2018, whereby the prayer made on behalf of the appellant for grant of anticipatory bail for the offences under Sections 307, 379, 341, 323, 325, 504 and 34 of the Indian Penal Code and Section 3(1)(r) of SC/ST (POA) Act has been rejected.

At the outset, learned counsel for the appellants has submitted that the appellants were on police bail and, therefore, the appellants would be satisfied if it is directed that in case the appellants surrender before the court below and seek bail, the court below shall look into the entire set of allegations and the fact that during police bail, the appellants did not misuse the privilege of bail and shall pass order in accordance with law, without being prejudiced by the fact that the present appeal on their behalf has not been entertained.

This Court deems it appropriate to order likewise. This appeal is disposed of with direction to the appellants to



surrender before the court below and seek bail. The court below would be under an obligation to look into the entire factual background as also the fact that the appellants never misused the privilege of police bail and shall pass order in accordance with law without being prejudiced by the fact that this appeal on their behalf has not been entertained.

(Ashutosh Kumar, J)

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