

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3178 of 2019

Arising Out of PS. Case No.-236 Year-2017 Thana- KHAIRA District- Jamui

-
1. PINTU LAL GUPTA @ PINTU SAH Son of Krishna Sah Resident of Village - Chaunkitanr, P.S.- Khaira, District- Jamui
 2. Indu Sah Son of Krishna Sah Resident of Village - Chaunkitanr, P.S.- Khaira, District- Jamui

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar Sinha, Adv.
For the Respondent/s : Mr.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-11-2021 Heard the parties.

This is an appeal under section 14(a) of the Scheduled Castes and Scheduled Tribes Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 13-03-2019 passed by learned 1st Additional Sessions Judge, Jamui, in connection with Khaira P.S. Case No.236/17, registered under sections 341/323/337/504/34 of the IPC and section 3(i)(x)(s) of the SC/ST (Prevention of Atrocities) Act.

The prosecution case in brief, is that the appellants have abused her by taking her caste name and appellant no.1 assaulted her by tangi blow on her finger, upon which her son



came for rescue but they have also assaulted him.

It is submitted by learned counsel for the appellants that earlier the prayer for anticipatory bail of the appellants filed through Cr.Appeal (SJ) No.1301/2019 was rejected by a co-ordinate Bench of this court vide order dated 26.06.2019. He further submits that final form has been submitted against the appellants, which is evident from Annexure-3 but on the protest of the informant, cognizance has been taken against the appellants. Similarly situated accused persons have been granted anticipatory bail vide order dated 23.02.2018 passed in Cr. Appeal (SJ) No.213 of 2018 (annexure-4).

Learned Spl. PP for the State opposed the prayer for anticipatory bail.

In the facts and circumstance of the case, since cognizance has been taken, I am not inclined to enlarge the appellants named above on anticipatory bail. The prayer for anticipatory bail is hereby rejected.

Accordingly, the appeal is dismissed.

However, the appellants are directed to surrender before the learned Court below within a period of four weeks from today and seek regular bail.

It is expected that, the learned court below shall pass the



order on the same day, keeping in view the fact that similarly
situated co-accused have been granted bail.

(Anjani Kumar Sharan, J)

pallavi/-

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

