

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1453 of 2021**

Arising Out of PS. Case No.-366 Year-2020 Thana- AMARPUR District- Banka

1. GUDDU MANDAL SON OF NARAYAN MANDAL RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION - AMARPUR, DISTRICT - BANKA
2. BAHADUR MANDAL SON OF LATE RABINDRA MANDAL RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION-AMARPUR, DISTRICT - BANKA
3. PINTU MANDAL SON OF NARAYAN MANDAL RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION- AMARPUR, DISTRICT - BANKA
4. INDRA MANDAL@ INDRADEV MANDAL SON OF LATE MASURI MANDAL RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION- AMARPUR, DISTRICT - BANKA
5. DAYANAND SINGH SON OF GIRO SINGH RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION- AMARPUR, DISTRICT - BANKA
6. KARU YADAV SON OF HARI YADAV RESIDENT OF VILLAGE - BIDANCHAK, POLICE STATION- AMARPUR, DISTRICT - BANKA

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ajay Mukherjee  
For the Respondent/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
ORAL ORDER

2      28-10-2021                      Heard learned counsel for the appellants, learned  
Special Public Prosecutor for the State.

This appeal under Section 14(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been preferred by the appellants challenging the order dated 11.11.2020 passed by learned Additional Sessions Judge-1-cum-Special Judge (SC/ST), Banka in ABP No. 1373 of 2020



whereby the prayer for bail of the appellants in connection with Amarpur P.S. Case No. 366/2020 under Sections 341, 323, 324, 304, 379, 504, 506 and 34 of the Indian Penal Code and section 3(1) (r)(s), 3(2)(V) of SC/ST Act was rejected.

It is alleged that appellants have come to the house of the informant armed with deadly weapon and assaulted the member of the prosecution party and abusing him by taking his caste name.

It appears from the order of the learned Additional Sessions Judge-1-cum-Special Judge (SC/ST) Banka dated 11.11.2020 that prima facie, the cognizance has been taken against the appellants under sections 341, 323, 324, 307, 325, 504 and 506 of the IPC and section 3(1)(r)(s), 3(2)(v) of the SC/ST Act and thereafter vide order dated 11.11.2020, the learned lower court has rejected the anticipatory bail of the appellants.

In view of the above, this Court does not find any infirmity or illegality in the order of learned Court below.

Accordingly, the appeal with regard to the appellants for release the appellants on anticipatory bail is rejected.

However, if the appellant surrenders and prays for regular bail within a period of six weeks, the same shall be



considered by the court below, without being prejudiced by the order of this Court.

With the aforesaid observation/direction, the appeal stands disposed off.

**(Sunil Kumar Panwar, J)**

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