

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68827 of 2021

Arising Out of PS. Case No.-13 Year-2016 Thana- SC/ST District- Araria

SONI DEVI Wife of Shree Sharavan Paswan Resident of Mohalla - Shivpuri,
Ward No.- 11, P.S. and District – Araria ... Petitioner
Versus

1. The State of Bihar
 2. Jabintara Khatoon Wife of Manjar Alam @ Jabintara Devi Wife of Shree Ramprit Rajak Resident of village - Nagwara, P.S.- Katra, District - Muzaffarpur at present resident of mohalla - Om Nagar, Ward No.- 8, P.S. and District - Araria.
 3. Sunil Kumar Son of Shree Ramprit Rajak Resident of village - Nagwara, P.S.- Katra, District - Muzaffarpur at present resident of mohalla - Om Nagar, Ward No.- 8, P.S. and District – Araria. ... Opposite Parties
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Appearance :

For the Petitioner : Mr. Rama Nand Poddar, Adv.
For the Opposite Parties : Mr. Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 22-12-2021 Heard Mr. Rama Nand Poddar, learned Advocate for the petitioner who seeks cancellation of bail of the opposite parties on the ground that in cases of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, no anticipatory bail can be granted. He has further submitted that the opposite parties are undesirable/unsocial elements who have put so many persons to ignominy by resorting to acts which would undermine their reputation in the society.

A vague statement has been made by the learned counsel for the petitioner that the opposite parties are involved in many cases and that in so many cases, they are the complainant/informant.



This is not a good ground for cancellation of bail granted to the opposite parties.

So far as the bar of grant of anticipatory bail to the opposite parties is concerned, that bar is applicable only when the offence is made out.

While passing the order, the Court had found from the facts that the accusations were highly exaggerated and the police did not find truth in the matter. However, deferring with the police report, cognizance had been taken by the Special Court under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The Court thus, being doubtful of the correctness of the accusation for the purposes of grant of bail, set aside the order passed by the Court below refusing to grant anticipatory to the opposite parties.

No good ground has been made out in the present petition for cancellation of bail of the opposite parties.

The petition has no merits and therefore is dismissed.

(Ashutosh Kumar, J)

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