

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5216 of 2019

Arising Out of PS. Case No.-85 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ali Ahmad Khan @ Ali Ahmad Son of Shahabuddin Khan Resident of Village Pakariya, Paithan Patti, P.S. Darpa, District East Champaran, Motihari.
 2. Rahman Khan @ Madhav Son of Langar Khan Resident of Village-Pakariya, Paithan Patti, P.S-Darpa, District-East Champaran, Motihari.
 3. Majbullah Khan Son of Shardin Khan Resident of Village-Pakariya, Paithan Patti, P.S-Darpa, District-East Champaran, Motihari.
 4. Khedu Khan @ Shagir Khan @ Samir Khan Son of Mardin Khan Resident of Village-Pakariya, Paithan Patti, P.S-Darpa, District-East Champaran, Motihari.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Dina Nath Paswan Son of Ugar Paswan Resident of Village-Pakariya Paithan Patti, P.S-Darpa, District-East Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-12-2021 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of anticipatory bail vide order dated 19.09.2019, passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (POA), East Champaran, Motihari in connection with



Complaint Case No.85 of 2018, registered under Sections 341, 323, 427, 504, 34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case. There is general and omnibus allegation against the appellants. It is further submitted that the appellants have got no criminal antecedent as stated in para 3 of the memo of appeal.

Learned Special P.P. for the State opposed the prayer for anticipatory bail of the appellants and submitted that cognizance has been taken in the present case, therefore, the appeal filed for grant of anticipatory bail is not maintainable according to Hon'ble Supreme Court Judgment passed in the case of Bachhu Das vs. The State of Bihar & Ors, reported in (2014) 3 SCC 471.

Having considered the facts aforesaid, I am not inclined to enlarge the appellants on anticipatory bail. Accordingly, the prayer for anticipatory bail of the appellants is rejected.

The appeal is dismissed.

(Anjani Kumar Sharan, J.)

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