

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5412 of 2019

Arising Out of PS. Case No.-6 Year-2018 Thana- SC/ST District- Madhubani

1. Bharat Chaudhary @ Bharat Lal Chaudhary Son of Late Ruplal Chaudhary Resident of Village- Belahi, P.S.- Pandaul, District- Madhubani.
2. Vishawanath Chaudhary @ Shiv Lal Chaudhary Son of Late Ruplal Chaudhary Resident of Village- Belahi, P.S.- Pandaul, District- Madhubani.
3. Ratan Chaudhary @ Ratan Lal Chaudhary Son of Late Ruplal Chaudhary Resident of Village- Belahi, P.S.- Pandaul, District- Madhubani.
4. Sanjay Chaudhary @ Sanjeev Kumar Chaudhary @ Sanjeev Chaudhary Son of Late Anup Chaudhary Resident of Village- Belahi, P.S.- Pandaul, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellants	:	Mr. Gagan Deo Yadav, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.
For the Informant	:	Mr. Sanjay Kumar, Advocate
		Mr. Bhavesh Kumar Sah, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-12-2021 Heard learned counsel for the appellants, learned Special P.P. for the State as well as learned counsel for the informant.

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 21.10.2019, passed by learned Ist Additional Sessions Judge-cum-Special Judge SC. ST. Act, Madhubani in connection with



Madhubani Town P.S. Case No.06/2018, registered under Sections 341, 323, 379, 384, 504, 506 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the SC/ST Act.

Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case. It is further submitted that the appellants have got no criminal antecedent.

Learned Special P.P. for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the appellant and submitted that the learned court below has already taken cognizance under the SC/ST Act, therefore, this appeal filed for grant of anticipatory bail is not maintainable in view of the judgment of the Hon'ble Apex Court 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 grant of anticipatory bail of the appellants is rejected.

However, the appellants are directed to surrender before the learned court below within a period of six weeks from the date of receipt of this order and the learned court below



shall consider the prayer for regular bail of the appellants preferably on the same day without being prejudiced from the order of this Court.

The appeal is dismissed.

(Anjani Kumar Sharan, J.)

Sanjay/-

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