

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1380 of 2021

Arising Out of PS. Case No.-559 Year-2020 Thana- NAWADA District- Nawada

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1. RAJU KUMAR SINGH Son of Late Mahadeo Singh Resident of Village- Dobharapar, P.S.- Bundelkhand, District- Nawadah.
 2. Rakesh Kumar Son of Raju Kumar Singh Resident of Village- Dobharapar, P.S.- Bundelkhand, District- Nawadah.
 3. Rajesh Kumar @ Gore Son of Raju Kumar Singh Resident of Village- Dobharapar, P.S.- Bundelkhand, District- Nawadah.
 4. Vicky Singh @ Vikiy Singh Son of Raju Kumar Singh Resident of Village- Dobharapar, P.S.- Bundelkhand, District- Nawadah.
 5. Sumit Kumar Son of Raju Kumar Singh Resident of Village- Dobharapar, P.S.- Bundelkhand, District- Nawadah.

... .. Appellants.

Versus

1. The State of Bihar
2. Sushila Devi W/o Late Anand Kr. Resident of Village - Domrapar, P.s.- Nagar, Bundelkhand O.P., Distt.- Nawadah

... .. Respondent/s

Appearance :

For the Appellants	:	Mr.Ram Prawesh Kumar
For the Respondents	:	Mr. Binay Krishna
		Mr. Sanjay Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2022 Heard learned counsel for the appellants and
learned Special Public Prosecutor for the State.

Learned counsel for the appellants undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 10.09.2020 passed by learned 1st Additional Sessions Judge cum Special Judge (SC/ST Act), Nawadah in connection with Nawadah (Bundelkhand) P.S. Case No. 559/2020 registered under Sections 442, 448, 341, 323, 308, 354, 379, 504 & 506/34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The allegation against the appellants is that they misbehaved with the informant and abused her and her son by their caste name and also assaulted them.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Appellants have one criminal antecedent, which is brought on record by way of filing supplementary affidavit.

Learned Spl. PP for the State and learned counsel for the respondent no.2 vehemently opposing the prayer for bail submitted that charge sheet has been filed on 27.06.2020 and



thereafter cognizance has been taken. Relying upon the judgment passed in the case of **Bachu Das Vs. State of Bihar and others since reported in (2014) 3 Supreme Court Cases 471** they submitted that anticipatory bail application is not maintainable before this Court.

In the facts and circumstances of the case, I am not inclined to enlarge the appellants on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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