

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3396 of 2021

Arising Out of PS. Case No.-44 Year-2017 Thana- SC/ST District- Araria

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1. BABLU PANJIYAR @ AWADHESH PANJIYAR Son of Late Madho Panjiyar Resident of Village- Barbanna Raniganj, P.S.- Raniganj, District- Araria.
 2. Dilip Panjiyar Son of Late Madho Panjiyar Resident of Village- Barbanna Raniganj, P.S.- Raniganj, District- Araria.
 3. Parmeshwari Yadav Son of Mahadeo Panjiyar Resident of Village- Barbanna Raniganj, P.S.- Raniganj, District- Araria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rekha Devi Kailu Risideo Resident of Village-Sarwaha,P.S-
Raniganj,District-Araria

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-11-2022 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

Though notice has been validly served upon the
respondent no.2, but nobody appears on her behalf.

Learned counsel for the appellants is directed to
remove the defects within four weeks.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act (hereinafter in short referred to as the 'SC/ST



Act') against the refusal of prayer of anticipatory bail vide order dated 26.07.2021 passed by learned Incharge 1st Additional Sessions-cum-Special Judge, Araria in connection with Special SC/ST Case no.213 of 2017 arising out of Araria (SC/ST) P.S. Case No.44 of 2017 registered under Sections 147, 149, 323, 452, 354B, 380, 504, 506 of the Indian Penal Code and Section 3(i)(s) of the Scheduled Castes and Scheduled Tribes Act and cognizance has been taken under sections-147, 323, 504, 506 of the Indian Penal Code and sections 3 (I) (s) of the SC/ST Act.

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. It is fairly submitted by the learned counsel for the appellants that cognizance has been taken against the appellants in the present case. Appellants have no criminal antecedent.

Learned Spl. PP for the State vehemently opposing the prayer for bail.

Having regards to the facts and circumstances of the case, since cognizance has been taken against the appellant



and keeping in view the judgment of Hon'ble Apex Court passed in **Bachu Das Vs. State of Bihar and others** since reported in (2014) 3 Supreme Court Cases 471 anticipatory bail application is not maintainable before this Court.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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