

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2614 of 2022**

Arising Out of PS. Case No.-50 Year-2022 Thana- DEO District- Aurangabad

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1. SUGANTI KUMARI Daughter of Nandlal Sharma Resident of village- Harikartan Bigha, P.S- Deo , Dist- Aurangabad
 2. Abhi Nandan Kumar Sharma @ Guddu Kumar @ Awinandan Kumar Sharma Son of Nandlal Sharma Resident of village- Harikartan Bigha, P.S- Deo , Dist- Aurangabad
 3. Rita Devi Wife of Nandlal Sharma Resident of village- Harikartan Bigha, P.S- Deo , Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Surendra Ram Son of Late Rameshwar Ram Resident of village- Harikartan Bigha, P.S- Deo , Dist- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 30-11-2022 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 07.07.2022 passed by learned 1st Additional district & Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in connection with Deo P.S. Case No. 50 of 2022 registered under Sections 341, 323, 324, 504,



506 and 34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

It is submitted by learned counsel for the appellants that the appellant have no concern with the aforesaid occurrence. They have been falsely implicated in the case. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Appellants have denied the fact that they even abused the informant or his family members. Hence, no offence under Section SC/ST Act is made out against the appellants. Appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal.

Learned Spl. PP for the State opposed the prayer for bail and submits that from the perusal of the F.I.R. it is clear that appellants have abused the informant by taking his caste name.

In the facts and circumstances of the case, I am not inclined to enlarge the appellants on anticipatory bail in connection with Deo P.S. Case No. 50 of 2022.

Accordingly, this appeal is hereby dismissed.

(Anjani Kumar Sharan, J)

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