

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3974 of 2021**

Arising Out of PS. Case No.-196 Year-2020 Thana- BIDUPUR District- Vaishali

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1. SURENDRA RAI Son of Late Pitambar Rai Resident of Village- Bhairampur, Deodhi, P.S.- Bidupur, District- Vaishali.
 2. Surajbhan Kumar Son of Surendra Rai Resident of Village- Bhairampur, Deodhi, P.S.- Bidupur, District- Vaishali.
 3. Chandrabhan Kumar Son of Surendra Rai Resident of Village- Bhairampur, Deodhi, P.S.- Bidupur, District- Vaishali.

... .. appellants

Versus

1. The State of Bihar
2. Nandlal Das Muneshwar Das Resident of Village-Bhairampur, Deodhi, P.S.- Bidupur, District-Vaishali

... .. Respondents

Appearance :

For the appellants/s : Mr.Vijay Kumar
For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 04-08-2022 Learned counsel for the appellants is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellants as well as learned counsel for the informant.

This appeal has been preferred on behalf of the appellants under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 24.08.2021 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Vaishali, Hajipur in A.B.P.



No. 1876 of 2021 arising out of Bidupur P.S. Case No. 196 of 2020, registered for the offences punishable under Sections 341, 323, 324, 379, 354/34 of the Indian Penal Code & Section 3(i) (r) (s) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants has submitted that the caste to which the informant belongs is not included in the Scheduled Caste.

As per allegation, Surendra Rai, appellant No. 1 assaulted the informant with iron rod. He sustained grievous injuries as his leg was fractured.

As such, appellant No. 1 Surendra Rai, does not deserve the privilege of anticipatory bail. Accordingly, his prayer for anticipatory bail is **rejected**.

So far as appellant Nos. 2 and 3 are concerned, they are directed to be released, in the event of their arrest or surrender within four weeks from today, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 196 of 2020.



Office shall ensure that all defects are removed by the appellants within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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