

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3986 of 2021**

Arising Out of PS. Case No.-34 Year-2019 Thana- SC/ST District- Sheikhpura

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1. DILIP KUMAR S/o Krishna Prasad Resident of Village- Monipur, P.S.- Kasar, District- Sheikhpura.
 2. Navin Kumar Son of Arjun Prasad Resident of Monipur, Police Station- Kassar, District- Sheikhpura.

... .. Appellant/s

Versus

1. The State of Bihar
2. Vishnudeo Chaudhary S/o Motishwer Chaudhary R/o Village- Manipur, P.S.- Kasar, Distt- Sheikhpura

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

4 31-08-2022 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 and learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act for setting aside the order dated 03.09.2021 in connection with Sheikhpura P.S. Case No. 34 of 2019 (SC/ST Case No. 73/2019) registered for the offences punishable under Sections 447, 504 and 506/34 of the Indian Penal Code and



Sections 3(1) (r) (s)/3(2) (va) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, the appellants in intoxicated condition asked the informant to open the door and when the door was opened, they abused in filthy words by calling his caste name. They also threatened to shoot the informant.

Learned counsel for the informant has submitted that the accused persons are on police bail and they have executed a bond before the investigating authority, as such, the anticipatory bail petition is not maintainable.

Considering the facts and circumstances, the appellants are directed to surrender in the court below and make a prayer for regular bail which shall be disposed of by the court below on its own merit on the same day, without being prejudiced by this order. The learned court below may take notice of the fact that during investigation the investigating authority did not require the custody of the accused persons and they have been granted bail by the police.

With these observations, the application stands disposed of.

Office shall ensure that all the defects are removed by



the appellants within the stipulated time provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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