

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3654 of 2022**

Arising Out of PS. Case No.-42 Year-2016 Thana- SC/ST District- Purnia

1.Purushotam Kumar Yadav @ Purushotam Yadav Son Of Bechan Prasad Yadav R/O Vill- Krishnapuri, Yadav Tola, Madhubani, P.S- K. Hat, Distt- Purnia

2. Uttam Kumar Yadav @ Uttam Yadav, son of Bechan Prasad Yadav R/O Vill- Krishnapuri, Yadav Tola, Madhubani, P.S- K. Hat, Distt- Purnia

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rakesh Prabhat

For the Respondent/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 15-12-2022 Heard learned counsel for the appellants and

learned Special P.P for the State.

The appellants have challenged the order dated

22.08.2022 passed by learned Special Judge, SC/ST

Act, Purnia in connection with SC/ST P.S. Case No. 42

of 2016 instituted for the offences punishable under

Sections 447, 341, 323, 354, 379, 504, 506 of the

Indian Penal Code and Sections 3(1)(r)(s)(w) of the SC
& ST (Prevention of Atrocities) Act, whereby their prayer

for being released on anticipatory bail has been rejected.



The accusations are of making assault and abusing by calling caste name.

It is submitted by learned counsel for the appellants that appellant have falsely been implicated in this case. There is general and omnibus allegation against the appellant. There is counter version of the occurrence also. The police after investigation did not find the case true as against he appellants and submitted final form but differing with the final form, cognizance has been taken by the learned Court below against the appellants.

Learned Special P.P. appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail of the appellants and submitted that finding the case *prima facie* against the appellants, cognizance has been taken. Hence, the anticipatory bail petition is not maintainable.

In the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail



to the appellants.

Accordingly, the appeal stands dismissed.

(Sunil Kumar Panwar, J)

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