

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.15 of 2022

Arising Out of PS. Case No.-131 Year-2019 Thana- VIDYAPATINAGAR District-
Samastipur

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1. ARUN KUMAR RAY Son of Rambriksh Ray Resident of Village-Chamtha, P.S.-Bachhawara, District-Begusarai.
 2. Raju Kumar Son of Rambriksh Ray Resident of Village-Chamtha, P.S.-Bachhawara, District-Begusarai.
 3. Renu Kumari Wife of Umesh Paswan Resident of Village-Sahit, Bajrang Chowk, P.S.-Vidyapati Nagar, District-Samastipur.
 4. Sonu Kumar Son of Umesh Paswan Resident of Village-Sahit, Bajrang Chowk, P.S.-Vidyapati Nagar, District-Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalan Paswan Son of Late Foni Paswan Resident of Khanua, P.S.-Vidyapati Nagar, District-Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lakshmindra Kumar Yadav
For the Respondent/s : Mr. Baidhnath Prasad

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

ORAL ORDER

3 23-08-2022 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 the 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 23.11.2021 in



connection with Vidyapati Nagar P.S. Case No. 131 of 2019 2019, registered for the offences punishable under Sections 147, 148, 149, 307 and 392 of the Indian Penal Code and Sections 3(i) (r) (s) of the SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, the accused persons stopped the motor-cycle of the informant and they badly assaulted him by iron rod. When the wife of the informant came there the accused persons also assaulted her and abused her in filthy words by calling her caste name.

Learned counsel for the appellants has submitted that the informant is own brother of appellant no.3. One Santosh Paswan resides with appellant no.3 and it was the reason that the informant has lodged this false case. He has submitted further that the informant has falsely mentioned in the complaint petition showing Arun Ray as husband of appellant no.3 in place of Umesh Paswan, who is husband of appellant no.3.

On the other hand, learned counsel for the informant has submitted that cognizance has already been taken in this case and as such, this anticipatory bail petition is not maintainable.



It appears that cognizance has already been taken, as such, the appellants are directed to surrender in the court below and make a prayer for regular bail. The learned court below shall dispose of the regular bail petition of the appellants on its own merit on the same day, without being prejudiced by this order.

With these observations, the appeal 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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