

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26469 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -PANDARAK District- PATNA

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1. Sona Tiwary , son of Chandrika Tiwary
 2. Ravi Tiwary @ Ravi Shankar Tiwary, son of Sona Tiwary
 3. Kallu Tiwary, son of Sona Tiwary
 4. Sagar Tiwary, son of Sona Tiwary
- All residents of village- Pandarakh, P.S. Pandarak, District- Patna
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Achal Kumar Sinha

For the Opposite Party/s : Mr. Sri Ambika Bhagat

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-06-2016

Heard Sri Achal Kumar Sinha, learned counsel for

the petitioners and Sri Ambika Bhagat, learned Special Public
Prosecutor.

Four petitioners, apprehending their arrest in
Pandarak P.S. Case no.159/2015 registered for the offence under
Sections 341, 323, 504, 506/34 of the Indian Penal Code and
Section 3(i)(x)(xi) of the Scheduled Castes and Scheduled
Tribes(Prevention of Atrocities)Act (hereinafter referred to as the
“SC/ST Act”), have prayed for grant of anticipatory bail.

Learned counsel for the petitioners tried to persuade
the Court that the petitioners have falsely been implicated in the
present case, whereas Sri Ambika Bhagat, learned Special Public
Prosecutor submits that in view of Section 18 of the SC/ST Act,

the present anticipatory bail petition may not be entertained.

Besides hearing learned counsel for the parties, I have also perused the materials available on record. After examining the record, it is difficult to record finding that it is a case of false implication and, as such, it would not be appropriate to extend the privilege of anticipatory bail.

The petition stands dismissed.

However, it is made clear that if the petitioners appear before the court below within a period of six weeks from today and make a prayer for regular bail, learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably on the same day.

(Rakesh Kumar, J)

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