

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37374 of 2014

Arising Out of PS.Case No. -34 Year- 2013 Thana -SC/ST District- SHEOHAR

=====

Prem Ranjan @ Ranjan Kumar Kushwaha @ Suntu Kushwaha son of late
Ganesh Kumar Kushwaha, resident of village Minapur Balha, P.S.Piprahi,
Dist. Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Lakshmi Kant Tiwary

For the Opposite Party : Mr. Sadanand Paswan (App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 16-07-2015 Heard both sides.

Sole petitioner is cited as accused in a case registered under Sections 341, 323, 504, 506/34 of the IPC and Section 3(1)(x) of the Scheduled Castes & Scheduled Tribes(Prevention of Atrocities) Act (for short the ‘ SC/ST Act’) .

Allegation is that the informant was cutting sugarcane from the field and on this count he was abused and beaten by the petitioner and other co accuseds. He received injuries and was shifted to hospital where FIR was lodged.

Contention of the petitioner is that the allegation is punctuated with malice as earlier to this a case was lodged against the informant in the Gram Kutchery. Considering the allegations contained in the FIR no offence under the SC/ST Act

is made out.

Learned counsel for the State has pointed from the FIR that it was the road where the occurrence had taken place. Not only the informant was abused but also assaulted.

Considering the aforesaid, I am not persuaded to privilege him with anticipatory bail. Prayer is declined. Petitioner may surrender and pray for regular bail before the learned Court below. In that event the Court below shall consider and dispose of the same on its own merit and pass appropriate orders uninfluenced by the present order.

The application is disposed of.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--