

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36396 of 2016

Arising Out of PS.Case No. -445 Year- 2013 Thana -SAUR BAZAR District- SAHARSA

1. Kailash Yadav S/o Birendra Yadav R/o Village- Duhbi Chamrahi, P.S.-
Sour Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-09-2016 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 447, 385, 504/34 of the Indian Penal Code, 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act and 27 of the Arms Act.

The prosecution case is that the petitioner came to the door of the informant, abused him by calling caste name and demanded extortion.

It appears from the impugned order that on conclusion of investigation Final Report (charge-sheet) has also been submitted under Section 3(1) (x) of the S.C./S.T.(Prevention of Atrocities) Act against the petitioner.

In view of the above fact, the anticipatory bail application is not maintainable.

Learned counsel for the petitioner does not want to convert the present application into an Appeal under Section 14A of the S.C/S.T (Prevention of Atrocities) Act.

In the circumstances, let the learned court below consider the prayer for bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Sour Bazar P.S. Case No. 445 of 2013, pending in the court of learned Additional Chief Judicial Magistrate-II, Saharsa.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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