

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 38335 of 2016

Arising Out of PS.Case No. -38 Year- 2014 Thana -CHENARI District- SASARAM (ROHTAS)

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Ambika Singh, Son of Yamuna Singh, Resident of Village- Naraina, P.O.+
P.S.- Chenari, District- Rohtas.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjan Kr. Srivastava
Mr. Om Prakash Singh

For the Opposite Party/s : Mr. Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 19-09-2016 Heard Sri Ranjan Kumar Srivastava, learned counsel,

who was assisted by Sri Om Prakash Singh, learned counsel for

the petitioner and Sri Sadanand Paswan, learned Special Public

Prosecutor.

It is a peculiar case, in which, F.I.R. was lodged long

back in the month of March, 2014, vide Chenari P.S. Case No. 38

of 2014, for serious accusation i.e. under Section 307 & other

allied Sections of the Indian Penal Code, Section 27 of the Arms

Act, 1959 and Section 3(i)(x) of the Scheduled Castes and the

Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short

“SC/ST Act”) and till date, the petitioner is at large and now, at

the end of this year, he has approached this Court for grant of

anticipatory bail.

It was submitted by learned counsel for the petitioner that there was case and counter case in between the parties and son of the petitioner had received serious injury in the said case i.e. Chenari P.S. Case No. 39 of 2014. He further submits that injury, which was examined during investigation, does not support allegation of firing and as such, a prayer has been made for extending the privilege of anticipatory bail, whereas, learned Special Public Prosecutor has opposed the prayer for grant of anticipatory bail.

In the F.I.R. itself, there is specific accusation against the petitioner and moreover, there is allegation of commission of offence under Section 3 of the SC/ST Act and as such, in view of Section 18 of the SC/ST Act, there is no question to entertain the present petition.

Dismissed.

(Rakesh Kumar, J.)

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