

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31822 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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Arun Mandal @ Arun Kumar Mandal & Anr

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

3 16-12-2016 Learned counsel for the petitioners submits that petitioners are accused for offences under the provisions of Schedule Castes And Schedule Tribes (Prevention of Atrocities) Act besides offences under the Indian Penal Code. He submits that in view of a recent Division Bench judgment of this Court after rejection of anticipatory bail by Special Judge / Sessions Judge a petition under Section 438 of the Cr.P.C. is not maintainable. Accordingly he makes a prayer for allowing him to convert this petition into Appeal as provided under the provisions of Schedule Castes And Schedule Tribes (Prevention of



Atrocities) Act.

The prayer is allowed.

It may done by 13th January 2017 failing which , entire
petition shall stand dismissed without further reference to a Bench.

(Rakesh Kumar, J)

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