

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1026 of 2017

Arising Out of PS.Case No. -26 Year- 2015 Thana -SC/ST District- JEHANABAD

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1. Chandan Kumar, son of Binda Yadav, Resident of Village- Kaldi, Police Station- Parasbigaha in the district of Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjeet Kumar-Advocate

For the Respondent/s : Smt Usha Kumari No-1-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

02 10-05-2017

Heard learned counsel for the appellant as well as

learned Additional Public Prosecutor.

It has been submitted on behalf of appellant that during course of submission of chargesheet, appellant was not sent up for trial, but the learned lower Court differing there from also summoned the appellant along with others after taking cognizance of an offence punishable under different heads including that of S.C./S.T. (Prevention of Atrocities) Act. So, appellant should be allowed the privilege of anticipatory bail.

On the other hand, learned Special Public Prosecutor opposed the prayer.

The Hon'ble Apex Court in *Bachu Das vs. State of Bihar & others reported in (2014) 3 SCC 471 as well as Manju*



Devi vs. Onkarjit Singh Ahluwalia @ Omkarjeet Singh & Ors.
relating to Cr. Appeal No.570 of 2017 arising out of Special
Leave Petition (Cri.) No.1929 of 2015, observed that after
cognizance, prayer for anticipatory bail did not lie. Consequent
thereupon, instant appeal is found deficient one whereupon, is
dismissed.

(Aditya Kumar Trivedi, J)

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