

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.314 of 2017

Arising Out of PS.Case No. -1352 Year- 2015 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Binod Singh, son of Sri Rajnarayan Singh,
2. Sonu Kumar Singh @ Ruddra Gautam, son of Binod Singh, Both
residents of village- Awsanpur, P.S.- Balthar, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma-Advocate

For the Respondent/s : Mr. Binay Krishna-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 04-05-2017

Heard learned counsel for the appellants as well as learned
Special Public Prosecutor.

From the order impugned, it is evident that cognizance had
already been taken under S.C./S.T. (Prevention of Atrocities) Act and other
allied Sections of the I.P.C.

That being so, in view of principle decided by 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*, instant appeal under the garb of
Section 438 of the Cr.P.C. is found non-maintainable and is accordingly,
dismissed.

(Aditya Kumar Trivedi, J)

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