

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1142 of 2017

Arising Out of PS.Case No. -80 Year- 2013 Thana -GAYA MUFFSIL District- GAYA

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Manoj Singh Son of Sukhu Singh, Resident of village - Gerey, P.S.
Muffasil, District - Gaya

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheikh Arkan Ahmad

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-05-2017 Heard learned counsel for the appellant.

The appellant has filed the instant appeal in terms of Section 14-A(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 21.02.2017 passed by the learned I/C Special Judge, S.C./S.T. Act, Gaya in connection with A.B.P. No. 20 of 2017 relating to Muffasil P.S. Case No. 80 of 2013, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Sections 3(2)(x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby and whereunder prayer for anticipatory bail made on behalf of the appellants has been rejected.

Allegation against the appellant and others, as per the F.I.R., is of assaulting the son of the informant due to which he died during the course of treatment.



It has been submitted on behalf of the appellant there is no eye witness of the occurrence and he has been falsely implicated in this case due to village politics.

Heard learned Special P.P. also.

The learned Special P.P. opposes the privilege of pre-arrest bail to the appellant stating that there is direct allegation of assault against the appellant and others and that a case under Section 3(2)(x) of the S.C./S.T. Act is made out against him.

Heard both sides and in view of the nature of allegation, I am not inclined to grant privilege of pre-arrest bail to the appellants. However, he may surrender in the court below and pray for regular bail which shall be considered by the court below on its own merit and pass an appropriate order in accordance with law.

Accordingly, with the aforesaid observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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