

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1305 of 2016

Arising Out of PS.Case No. -199 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

- =====
1. Indu Kumar Mishra, son of Late Awadhesh Mishra, resident of village-Narhan Batua Chowk, P.S.-Vibhutipur, District-Samastipur.
 2. Rakesh Kumar Singh @ Rakesh Kumar @ Loha Singh, son of Ram Nandan Prasad Singh @ Mishra Baba, resident of village-Vibhutipur, P.S.-Vibhutipur, District-Samastipur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Babita Kumari -Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

04 20-03-2017 Heard learned counsel for the appellants as well as
learned Special Public Prosecutor.

Both the appellants came at the place of informant, took wine and then, demanded company of wife of the informant, which was declined by the informant. Being annoyed therewith, both the appellants made house trespass, dragged wife of the informant, who was anyhow saved on account of timely arrival of other family members, who was telephonically informed by the informant.

The aforesaid event is found within Section 3(w) of the S.C./S.T. (Prevention of Atrocities) Act on its face and further, considering the embargo having prescribed under Paragraph-28 *in Bisheshwar Mishra and another vs. State of Bihar reported in*



2016(4) P.L.J.R. 1058 (D.B.), instant memo of appeal for anticipatory bail is found non-maintainable.

Accordingly, prayer for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J)

Vikash/-

U		T	
---	--	---	--

