

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.976 of 2017

Arising Out of PS.Case No. -121 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR
 =====

1. Rajesh Kumar @ Bamma Son of Nandlal Ram, Resident of Village-
 Bakhri Buzurg, P.S.- Musrigharari, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Asgher Najmi-Advocate

For the Respondent/s : Mr. Sri Sadanand Paswan-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 04-05-2017

Heard learned counsel for the appellant as well as

learned Special Public Prosecutor.

Informant, a lady belonging to Scheduled Caste, along with her sister-in-law while had gone to ease themselves, appellant came from behind, caught hold her and began to tease, whereupon they protested as well as raised hue and cry attracting the villagers during course of which, appellant had abused.

Manifold argument has been made on behalf of appellant, but the fact remains that in terms of observation made under Para-28 in *Bisheshwar Mishra and another vs. State of Bihar reported in 2016(4) P.L.J.R. 1058 (D.B.)*, those matters would not be considered as it comes within the purview of roving inquiry which, not at all be permitted. So far allegation is



concerned, that comes within the purview of Section 3(w)(1) of the S.C./S.T. (Prevention of Atrocities) Act and that being so, instant appeal became non-maintainable and is accordingly, dismissed.

(Aditya Kumar Trivedi, J)

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