

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3300 of 2017

Arising Out of PS.Case No. -93 Year- 2017 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Om Prakash Prasad @ Om Prakash Yadav, son of Late Ayodhya Prasad
 2. Dipu Kumar, son of Om Prakash Yadav @ Om Prakash Yadav,
 3. Raj Kumar Mahto, son of Yadolal Mahto
 4. Rajesh Mahto, son of Late Janak Mahto
 5. Jairam Raut, son of Late Jhagru Raut, All resident of Village-
Siswaniya, P.S. Ramgarhwa, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pankaj Kumar Dubey, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-12-2017

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Motihari, in Motihari SC/ST Police Station Case No.93 of 2017 registered under Sections 147/149/342/323/379/504 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perusal of the F.I.R. would reveal that prima facie case



under the provisions of SC/ST Act is made out against the appellants for the purpose of this appeal. Hence, bar under Section 18 of the Act is attracted. As such, the prayer for anticipatory bail is dismissed as not maintainable.

Accordingly, this appeal stand dismissed.

(Birendra Kumar, J)

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