

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.676 of 2016

Arising Out of PS.Case No. -42 Year- 2014 Thana -SC/ST District- JEHANABAD

- =====
1. Arjun Singh @ Ayaju Singh son of Late Ambika Singh
 2. Sintu Singh @ Sintu Kumar son of Late Umesh Sharma, both resident of village-Pitambarpur, PS-Ghosi, District-Jehanabad.

.... Appellant/s

Versus

The State of Bihar and Ors.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravi Ranjan

For the Respondent/s : Mr. Sri Bipin Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 14-07-2017

This appeal has been filed for setting aside the order dated 18.7.2016 passed by the learned 1st Additional Sessions Judge, Jehanabad in Sessions Trial No. 28 of 2015/56 of 2015 arising out of Jehanabad SC/ST P.S. Case No. 42 of 2014 by which the discharge petition filed by the petitioner has been rejected.

Submission of the learned counsel for the appellant is that on perusal of the case diary, no case is made out under section 3(i) (x) of the SC/ST Act or other sections and as such, the order passed by the learned 1st Additional Sessions Judge, Jehanabad is bad in law and fit to be aside.

Heard learned Additional Public Prosecutor as well as learned counsel for the informant. They have opposed the prayer of the appellant submitting that the order of dismissing discharge



petition is just and proper and the materials available in the case diary clearly show that a case not only under section 3 (i) (x) of the SC/ST Act but also a case of intimidation is made out, as such, this appeal is not sustainable.

Having heard both sides and in view of the materials available in case diary, especially in paragraphs 11, 13, 14 and other paragraphs of the case diary, it appears that *prima facie* a case under the abovementioned sections is made out against the appellant, as such, this appeal is not maintainable.

Accordingly, this appeal is dismissed.

Lower Court Records be sent back to the concerned court.

(Vinod Kumar Sinha, J)

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