IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1158 of 2017

Arising Out of PS.Case No. -24 Year- 2015 Thana -SC ST District- VAISHALI(HAJIPUR)

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Parvesh Patel @ Parvesh Kumar Son of Late Shiv Chandra Patel, Resident of village - Dayalpur, Police Station Rajapakar (Barati), District - Vaishali

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Radha Mohan Singh, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.
For the Informant : MKr. Ranjeet Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the appellant.

The appellant has filed the instant appeal in terms of Section 14A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act against an order dated 05.01.2017 passed by the learned 3rd Additional Sessions Judge-I, Vaishali in connection with A.B.P. No. 2420 of 2015 relating to S.C. & S.T. Hajipur P.S. Case No. 24 of 2015, registered for the offences punishable under Section 341, 323, 324, 504 & 34 of the Indian Penal Code and Sections 3(i)(x) of the SC/ST Act, whereby and whereunder prayer for anticipatory bail made on behalf of the appellant has been rejected.

Allegation against the appellant is that he along with other accused persons abused the informant by taking caste name and also assaulted him.

It has been submitted on behalf of the appellant that there is a case and counter case between the parties and both the

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cases have been compromised and the compromise petition is on the record of the case.

Heard learned Special P.P. as well as the learned counsel for the informant. They have opposed the prayer for pre-arrest bail of the appellant.

Having heard both sides and in view of the fact that a prima facie case under SC/ST Act is made out against the appellant, I am not inclined to grant privilege of pre-arrest bail to the appellant. The appellant may surrender in the court below and pray for regular bail which shall be considered on the basis of the submission made above and also after examining the fact that the compromise petition has been filed on behalf of the parties, and after examining the same, the prayer for regular bail shall be considered on its own merit and pass an appropriate order in accordance with law, without being prejudiced by the order of this Court.

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

(Vinod Kumar Sinha, J)

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