

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.20346 of 2018**

Arising Out of PS.Case No. -26 Year- 2016 Thana -SC/ST District- BANKA

- =====
1. Satish Kumar, son of Late Baidhyanath Prasad,
  2. Poonam Devi wife of Satish Kumar,
  3. Sarwesh Kumar son of Satish Kumar

All resident of P.H. Division Store, Mallic Tola, Municipal Chowk, Banbka  
at present Ward No. 13, Mohalla- Aliganj, P.S.- Banka, District- Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar Rajak son of Late Kameshwar Baitha , residen of village-  
Barhouna, P.S.- Barahat , District- Banka.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Advocate  
For the State : Mr. Sadanand Paswan, Spl.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**

**ORAL JUDGMENT**

**Date: 30-08-2018**

By way of the present application preferred under Section 482 of the Code of Criminal Procedure (for short 'Cr.P.C.') the petitioners have prayed for quashing the order dated 02.01.2018 passed by the learned Additional Session Judge-I-cum-Special Judge, Banka in SC/ST P.S. Case No.26 of 2016 whereby he has taken cognizance of the offences punishable under various Sections of the Penal Code and Section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act').

**2. In view of the statutory provisions of appeal as**



prescribed under Section 14-A of the Act, in the opinion of this Court, against an order taking cognizance of the offence under the provisions of the Act an application under Section 482 of the Cr.P.C. would not be maintainable.

3. Accordingly, the application is dismissed as not maintainable.

**(Ashwani Kumar Singh, J)**

Md.S./-

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