

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2581 of 2018

Arising Out of PS. Case No.-51 Year-2018 Thana- MARANCHI District- Patna

Kanhaiya Kumar Singh S/o. Bipin Singh, R/o. Village- Jalalpur, P.S.
Maranchi (Pachmahal O.P.), District- Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Dhananjaya Nath Tiwari, Advocate
For the Respondent/s	:	Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, against the refusal of prayer for anticipatory bail vide order dated 11.06.2018 passed by the learned Special Judge (SC/ST Act)-cum-Additional Sessions Judge-V, Patna, in A.B.P. No.4029 of 2018, arising out of Maranchi Police Station Case No.51 of 2018, registered under Sections 452/341/323/326/307/384/504/506/34 of the Indian Penal Code, Sections 25(1-b)a/26/27/35 of the Arms Act and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



According to FIR, another family member of the appellant was asking the informant to work in his field and on refusal the informant was abused and assaulted by taking caste name. Further allegation is that the appellant fired which caused no injury to anyone. Other witnesses have also supported the allegation.

During course of hearing nothing was brought on the record nor anything came during investigation to suggest a case of malicious prosecution. The appellant has got criminal antecedent. Hence, I am not inclined to enlarge the appellant on anticipatory bail. However, in the event of surrender of the appellant prayer for regular bail shall be considered by the Court-below without being prejudiced by the order of this Court.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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