

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1229 of 2018

Arising Out of PS.Case No. -255 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

- =====
1. Munna Kumar, S/o Daya Shankar Rai,
 2. Nandi Kumar S/o Shatrughna Rai, Both are R/o Mohalla- Narayanpur Derhpura, P.S.- Mahnar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nagendra Kumar Singh, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 05-09-2018

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 vide order dated 09.03.2018 passed by learned Additional Sessions Judge-I, Vaishali at Hajipur, in A.B.P. No. 141 of 2018, arising out of Mahnar Police Station Case No.255 of 2017, registered under Sections 341/323/427/504/506/34 of the Indian Penal Code and Section 3(1)(r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant is local Chaukidar. When he was purchasing articles from the shop, the appellants came there and asked



for any approach of the informant in Bhagwanpur P.S. When the informant declined, they abused by taking caste name and assaulted him. Other witnesses have also supported the allegation before the police.

Though submission of the learned counsel for the appellant is that for dispute relating to cultivation and sharing of crop, false allegation has been leveled. However, there is no material to substantiate the aforesaid dispute.

Hence, in my view, there is no merit in this appeal against refusal of anticipatory bail. Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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