

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2254 of 2018

Arising Out of PS. Case No.-59 Year-2016 Thana- BHANGWANPUR HAT District- Siwan

Ajay Rai @ Ajay Kumar Ray, S/o Avadhkishor Ray, R/o Village- Sondhani
Gawasi Tola, P.S.- Bhagwanpur Hat, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 24.03.2018 passed by the learned Additional Sessions Judge-1st, Siwan in A.B.P. No.256 of 2018, arising out of Bhagwanpur Hat Police Station Case No.59 of 2016 registered under Sections 324, 307, 353, 504, 506 of the Indian Penal Code and Sections 3 (i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he abused to the informant by taking caste name and thereafter assaulted with dagger causing injury at his palm. Other witnesses have



supported the aforesaid allegation as eyewitness of the occurrence.

Submission is that the parties have entered into compromise.

Considering the nature of allegation supported by statement of other witnesses which discloses prima facie offence under the provision of S.C. & S.T. Act, I am not inclined to enlarge the appellant on anticipatory bail. Hence prayer is refused.

However, in the event of surrender of the appellant before the court below within three weeks his prayer for regular bail shall be considered without being prejudiced by this order and considering the fact that once the parties have entered into compromise the fate of the trial is well known.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

