

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.533 of 2018

Arising Out of PS.Case No. -null Year- null Thana -null District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Baidhnath Rai S/o Late Kodai Rai @ Kodai Ray, R/o Village- Dhelhunha,
P.O.+P.S.- Rajepur, District- East Champaran. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Hemant Kumar Sharan, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-05-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Addl. Sessions Judge-cum-Special Judge, (SC/ST Act) Motihari, East Champaran in connection with Rajepur P.S.Case No. 60 of 2017 registered under Sections 341,323,324,307,452,380,504,506/34 of the Indian Penal Code as well as under Sections 3, 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Co-accused-Arjun Kumar allegedly committed theft of mobile from the house of the informant and for that dispute, all the FIR named accused including the appellant variously armed came to the house of the informant. Accused-Jagarnath Rai and the appellant abused the informant by taking his caste name and exhorted others to commit assault. Consequently,



co-accused Arjun Kumar assaulted causing injury at the head. The witnesses named in the FIR have supported the allegation against the appellant before the police.

Considering the prima facie disclosure of the offence under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the appellant, I am not inclined to enlarge the appellant on anticipatory bail.

Hence, this appeal is dismissed as devoid of any merit.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.05.2018
Transmission Date	04.05.2018

