

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2907 of 2018

Arising Out of PS. Case No.-366 Year-2014 Thana- MANIGACHI District- Darbhanga

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Dhirendra Ranjan Sai @ Dhirendra Ranjai Sai @ Dhirendra Ranjan, son of Ramesh Chandra Das, resident of Village- Balaur, P.S.- Manigachhi, District- Darbhanga, at present resident of Village- Brahampura, P.S. Manigachhi, District- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Subhash Kumar Jha, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 order dated 14.06.2018 in A.B.P. No.550 of 2018 passed by the learned Sessions Judge, Darbhanga in connection with Manigachhi P.S.Case No. 366 of 2014 corresponding to G.R.No.4370 of 2014 registered under Sections 341,323,354,504,34 of the Indian Penal Code as well as under Sections 3(i)x of the Scheduled Castes and Scheduled Tribes Act.

The appellant is a member of Manvadhikar Sangathan Pratisthan, a registered Society. Annexure-3 would



reveal that appellant has been authorized even to look into the administrative corruption and help the local Secretary of the Society. It is not understandable as to how a Society can directly involve itself in looking into administrative corruption. To the best, if a citizen comes to notice of any administrative corruption, he may inform to the competent authority including the Vigilance Department to take appropriate action. However, Annexure-2 would reveal that the appellant was himself entertaining complaint against different person in the matter of irregularities in disbursement of amount of Indra Awas. Apparently, the hidden motive is to dominate and extort the authorities involved in the aforesaid public function.

Allegation against the appellant is that by putting a Board styled as Education Corruption and Human Rights, the appellant threatens the members of the scheduled castes in different ways including the manner referred in the FIR. Further allegation is of commission of abuse and assault and theft.

Learned counsel for the appellant submits that the occurrence did not take place in public view. Appellant has got no criminal antecedent. Appellant is a physically handicapped person.

Considering the nature of allegation disclosed in the FIR, in my view, this is not a fit case for grant of anticipatory bail. After recent amendment in the provisions of



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, each and every occurrence need not take place in public view.

Hence, this appeal against refusal of the prayer for anticipatory bail is dismissed.

In the event of surrender of the appellant within three weeks, the learned court below shall consider prayer for regular bail without being prejudiced by this order and after verifying and considering whether the appellant is a physically disabled person.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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