

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1189 of 2018

Arising Out of PS.Case No. -575 Year- 2017 Thana -DANAPUR District- PATNA

- =====
1. Ricky Kumar, S/o Bharat Prasad,
 2. Golu Kumar, S/o Narendra Prasad,
 3. Deepak Mahto @ Deepak Kumar, S/o Ramjee Mahto, All are R/o Nasriganj, P.S.- Danapur, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Tiwary, 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 Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 24.11.2017 passed by the learned Special Judge (SC/ST Act), Patna, in connection with Danapur Police Station Case No.575 of 2017, registered under Sections 307/504/506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Four persons came to the door of the informant including the appellants and appellant Ricky Kumar allegedly fired at the



informant. However, no injury was caused. The witnesses of the nearby locality were examined by the police have supported the prosecution case.

Submission of the learned counsel for the appellants is that the investigating officer did not find any sign of firing at the spot. He further submits that the informant has also filed an application before the police that this is a case of mistake of fact.

The aforesaid application might be a case of tampering of the evidence. Considering the nature of allegation, in my view, this is not a fit case of grant of anticipatory bail. Hence, this appeal, against the refusal of prayer for anticipatory bail, stands dismissed as devoid of merit. The appellants are directed to surrender within three weeks from the date of receipt of a copy of this order.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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