

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2060 of 2018

Arising Out of PS.Case No. -343 Year- 2017 Thana -JAMUI District- JAMUI

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1. Asharfi Yadav S/o Late Saryug Yadav, R/o Vill.- Daulatpur, P.S. + District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-08-2018

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 04.04.2018 passed by learned Additional Sessions Judge-I, Jamui, in A.B.P. No.236 of 2018, arising out of Jamui Police Station Case No.343 of 2017, registered under Sections 302/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)/3(ii)(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Though in the FIR allegation of commission of murder of Binay Paswan is against co-accused Raju Yadav by causing fire-arm



injury. However, allegation against appellant and co-accused Sirpu Singh is that they had called the victim and brought him near Raju Yadav.

Learned counsel for the appellant submits that the victim was a notorious criminal. In the past he had committed the murder of the brother of the appellant and that is why false implication has been leveled.

Considering the nature of allegation against the appellant, I am not inclined to enlarge him on anticipatory bail. Hence, this appeal against the refusal of prayer of anticipatory bail is dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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