

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2829 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -NIMCHAKBATHANI District- GAYA

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1. Chhotey Yadav, Son of Sikandar Yadav, Resident of Village- Sonsa, P.S. -
Neemchak Bathani, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha, Advocate

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

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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 Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 09.07.2018 passed by the learned Special Judge (SC/ST Act), Gaya, in connection with Neemchak Bathani Police Station Case No.19 of 2018, registered under Sections 147/148/149/ 447/341 /323/ 325/ 307 /504 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR prima facie discloses commission of offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. There is no material to substantiate



malicious prosecution. Hence, in my view, there is no merit in this appeal against refusal of anticipatory bail. However, in the event of surrender of the appellant within three weeks, the prayer for regular bail shall be disposed of without being prejudiced by the order of this Court.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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