

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2529 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- WARISLIGANJ District- Nawada

BINAY SINGH @ RAM BINAY SINGH @ MANTRI JEE, Son of Rajendra
Singh, Resident of Village - Chainpura, P.S. - Warisaliganj, District - Nawada.
... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Deepak Kumar
For the Respondent/s : Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 02-11-2018

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 27.06.2018 in A.B.P. No. 923 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Nawada in connection with Warisaliganj P.S. Case No. 77 of 2018 registered under Sections 279, 427, 307, 302, 504 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act.

The appellant was driving a tractor. Initially, the tractor dashed against the thatched roof of the house of the informant. When the informant asked for damages, the appellant allegedly abused by taking caste name of the informant.



Thereafter, the appellant started fleeing with the tractor in a very negligent manner causing injury to three persons including to Anju Devi, aged about 20 years, who died and two others sustained injury and got treatment in the hospital.

Submission of the learned counsel for the appellant is that the case diary would reveal that when the people available there started pelting stones, to save his life, appellant started fleeing and in that course, the accident took place. The family members of the informant and the deceased have supported the allegation before the police.

Considering the nature of allegation, in my view, the appellant does not deserve anticipatory bail. Hence, this appeal against refusal of prayer for anticipatory bail is devoid of any merit.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Kundan

AFR/NAFR	N.A.
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