

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4404 of 2018**

Arising Out of PS. Case No.-13 Year-2018 Thana- SC/ST District- Purnia

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Bikrant Mehta @ Bikram Mehta, Son of Bhumeswar Mehta, Resident of
Village-Karha, P.S.-Marega Dist.-Purnia.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pramod Mishra

For the Respondent/s : Mr.Sri Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 07-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 01.10.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST, Purnea in ABP No. 76/2018 (Special Case No. 29 of 2018) arising out of SC/ST P.S.Case No. 13 of 2018 registered under Sections 323, 341, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(s) (w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abusing the informant by caste name and outraging the modesty as well as snatching of Rs. 1140/- from her.

Submission of learned counsel for the appellant is that



there is dispute with respect to flowing of water and moreover he has been granted benefit of Section 41 of Cr.P.C. and he has not misused the same and cognizance has been taken only under Sections 323,341,504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) (w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him rather he should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered on the basis of material available on record and also considering the fact that petitioner was given benefit of Section 41 Cr.P.C. and did not misuse the same, dispose of the same, without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

