

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 3420 of 2016

Arising Out of P.S. Case No.-42 Year-2015 Thana- BASOPATTI District- Madhubani

Nawal Kishore Jha Son of Late Mahavir Jha, Resident of Village- Bhagirathpatti, P.S. Basopatti, District - Madhubani at Present Member of Panchayat Samittee, Basopatti, Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the State : Mr. Md. Arif, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 19-02-2019

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has moved the Court under Section 482
of the Code of Criminal Procedure, 1973 for the following relief:

*“That this is an application for Quashing
of the First Information Report lodged by the
informant on 04.11.15 for the offences punishable
under Sections 341, 323, 353, 384, 448, 504, 506
and 427 of the Indian Penal Code read with section
3 (i) (x) of the SC/ST Act in connection with
Basopatti P.S. Case No. 42 of 2015 corresponding to
GR No. 885 of 2015 presently pending in the court
of Sri Ravi Shankar learned J.M. 1st Class,
Madhubani.”*

3. At the very outset, learned A.P.P. pointed out that the
present application is not maintainable for the reason that under
The Scheduled Castes and the Scheduled Tribes (Prevention of



Atrocities) Act, 1989 (hereinafter referred to as the ‘Act’), in view of the amended Section 14-A of the Act, now only an appeal will lie, since pursuant to filing of the case, cognizance has also been taken by the Court below.

4. Faced with the situation, learned counsel for the petitioner submitted that he may be permitted to withdraw the application to file an appeal in terms of Section 14-A of the Act.

5. In view thereof, as prayed for by learned counsel for the petitioner, the application stands disposed off as withdrawn with liberty aforesaid.

(Ahsanuddin Amanullah, J.)

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