

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4146 of 2018

Arising Out of PS. Case No.-233 Year-2018 Thana- BARBIGHA District- Sheikhpura

Shivjee, Son of Markendey Singh, Resident of Village-Kutaut, P.S.-Barbigha,
District Sheikhpura.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Anjani Pd. Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

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 26.09.2018 passed by the learned Addl. Sessions Judge-1st, Sheikhpura in ABP No. 580 of 2018 arising out of Barbigha P.S.Case No. 233 of 2018 corresponding to ST/SC Case No. 107 of 2018 registered under Sections 323, 341, 384, 504 and 506 of the Indian penal Code and Sections 3(1)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation as per FIR is that appellant and other accused persons came by a car while the informant, who is a Block Development Officer, was waiting along with his wife and they



threatened to kill him and they also abused his staff Ram Bilas Rajak calling his caste name.

Submission of learned counsel for the appellant is that nothing specific has been attributed against him and he has been made accused due to some village rivalry.

Heard learned Spl. P.P also, who has opposed the prayer for bail stating that two witnesses during investigation have stated that in their presence appellant abused and supported the prosecution case.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the appellant. However, he is directed to surrender and make prayer for regular bail, which shall be considered on its own merit without being prejudiced by this order.

Accordingly, the appeal is dismissed.

(Vinod Kumar Sinha, J)

sujit/-

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Uploading Date	
Transmission Date	

