

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5263 of 2019

Arising Out of PS. Case No.-337 Year-2015 Thana- BARACHATTI District- Gaya

=====

MUKHU TIWARI S/O Vinod Tiwari Resident of Village - Tetariya, P.S. -
Mohanpur, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Arvind Kumar, Adv

For the Respondent/s : Mr.Binay Krishna, Spl.APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 03-12-2019

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 24.10.2019 in A.B.P. No.270 of 2019 passed by the learned Exclusive Special Judge, SC/ST, Gaya in connection with Barachati Mohanpur P.S.Case No. 337 of 2015 registered under Sections 341,323,504,506,34 of the Indian Penal Code as well as under Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

Offences alleged under the Indian Penal Code against the appellant are bailable, however, in view of the prima facie allegation under the provisions of Scheduled Castes and Scheduled Tribes Act, the prayer for anticipatory bail is not maintainable.



Hence, this appeal against refusal of the prayer for anticipatory bail on the ground of non-maintainability, is dismissed as devoid of any merit. However, prayer for regular bail of the appellant shall be considered without being prejudiced by this order on its own merit.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.12.2019
Transmission Date	05.12.2019

