

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5585 of 2019**

Arising Out of PS. Case No.-59 Year-2019 Thana- HATHIDAH District- Patna

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RISHIKESH KUMAR @ SURAJ KUMAR Son of Arun Kumar Yadav
Resident of Village-Mujrim Nagar (Aunta), P.S.-Hathidah, District-Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajesh Kumar Sinha, Adv
For the Respondent/s : Mr.Sadanand Paswan, APP

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 19-12-2019

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 15.11.2019 in Special Case No.334 of 2019 arising out of Hathidah P.S.Case No.59 of 2019 passed by the learned Addl. Sessions Judge-XX-cum-Special Judge, SC/ST, Patna registered under Sections 341,323,307,354,34 of the Indian Penal Code as well as under Sections 3(i)(r)(s)(w)/3(2)V of the Scheduled Castes and Scheduled Tribes Act.

FIR prima facie discloses commission of offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act as alleged especially offence under Sections 3(2)(v)(a) of the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act. Hence, I do not find any infirmity with the impugned order, whereby prayer for anticipatory bail was refused saying that it is not maintainable.

Accordingly, this appeal stands dismissed as not maintainable.

In the event of surrender, the prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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