

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.411 of 2020**

Arising Out of PS. Case No.-135 Year-2019 Thana- HATHAURI District- Samastipur

Rajanish Kumar Chaudhary Son of Ranjit Chaudhary @ Ranjeet Kumar Choudhary Resident of Village - Ballipur Shiva Jee Nagar, P.S. - Hathauri, Distt - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashutosh Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

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

2 29-01-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 23.12.2019 passed by the learned 1st Additional Sessions Judge, Samastipur, in A.B.P. No.3013 of 2019, arising out of Hatuari Police Station Case No.135 of 2019, registered under Sections 448/341/323/325/307/354B of the Indian Penal Code and Sections 3(i)(b) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR prima facie discloses commission of offence under the Scheduled Castes and Scheduled Tribes



(Prevention of Atrocities) Act. Hence, prayer for anticipatory bail is not maintainable in view of the bar under Section 18 of the Act.

The impugned order has been passed by the learned Special Judge wherein it is specifically stated that prayer for anticipatory bail is not maintainable under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

I do not find any reason to interfere with the impugned order. Hence, this appeal for grant of anticipatory bail stands dismissed. In the event of surrender of the appellant the prayer for regular bail shall be considered without being prejudiced by the order of this Court.

(Birendra Kumar, J)

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