

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.427 of 2020

Arising Out of PS. Case No.-350 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

Mithilesh Yadav @ Tinku Rai Son of Lalu Rai @ Lalu Prasad Yadav @
Ramjash Prasad Yadav R/O - Ward No.-2, Chandani Chowk, P.S.-
Brahmapura, District- Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Samrendra Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 31-01-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Special Judge, SC/ST Act, Muzaffarpur, in connection with Brahmapura Police Station Case No.350 of 2019, registered under Sections 147/148/149/341/ 323 /307 /353 /427/504/506/120B of the Indian Penal Code and Section 3(i) (X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Since FIR prima facie specifically discloses commission of offence under the provisions of Section 3(2)(Va) read with schedule attached to the Scheduled Castes and



Scheduled Tribes (Prevention of Atrocities) Act, 1989. Hence, the prayer for anticipatory bail is not maintainable in view of the bar under Section 18 of the Act.

In the result, this appeal against the refusal of prayer for anticipatory bail has got no merit. Accordingly, it stands dismissed.

However, 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 and considering the submission of the learned counsel for the appellant regarding background of the allegation.

(Birendra Kumar, J)

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