

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.963 of 2020

Arising Out of PS. Case No.-31 Year-2020 Thana- JAKKANPUR District- Patna

VIKKY KUMAR Son of Sri Vikash Kumar @ Vikash Prasad R/v- Old
Jakkanpur, P.S.- Jakkanpur, Distt.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vijay Kumar Sinha
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-10-2020 As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsel are appearing and making submissions from their residence. The Court master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the appellant and learned Spl. P.P. for the State.

The appellant has preferred the present appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act,1989 against the refusal of prayer for anticipatory bail vide order



dated 24.01.2020 passed by learned Additional Sessions Judge -VIII-cum- Spl Judge, SC/ST Act, Patna in A.B.P. No. 682 of 2020, arising out of Special case no. 27 of 2020, Jakkanpur P. S. case no. 31 of 2020 registered under Sections 341, 323, 325 and 379 of the IPC and Section 3(1) (r)(s) of the SC & ST Act.

The informant and his son while going for work have been intimidated by the petitioner and abused by caste name. Assault is also alleged against the petitioner.

Appellant's counsel submits that this is a case of false implication. The Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act') has been added to make the allegations look grave though no case is made out under the provisions of the Act.

The learned special P.P., referring to Section 18 of the Act submits that in view of the specific allegation of intimidation, abused by caste name causing humiliation to the informant and his son, the prayer for anticipatory bail is not maintainable.

Considering the rival submissions, this Court is not inclined to allow the appellant's prayer for anticipatory bail.



The order dated 24.01.2020 passed by the learned Additional Sessions Judge -VIII -cum- Special Judge SC/ST Act, Patna in A.B.P. No. 682 of 2020 requires no interference in this appeal.

The appeal stands rejected.

(Madhuresh Prasad, J)

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