

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41773 of 2016

Arising Out of PS. Case No.-27 Year-2013 Thana- SC/ST District- Sheohar

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Dwarika Nath Prasad, Son of Sri Bhola Nath Prasad, resident of Ward No. 10,
Nagar Panchayat Sheohar, P.S.- Sheohar, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Nathuni Chaudhary, Son of Sri Sheoji Choudhari, resident of Ward No. 14, Nagar Panchayat Sheohar, at present Tax Daroga, Nagar Panchayat Sheohar, P.S.- Sheohar, District- Sheohar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Mohan, Adv.

For the Opposite Party/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

4 08-12-2020 Heard Mr. Rajesh Mohan, learned counsel for the

petitioner and Mr. Binay Krishna, learned APP for the State.

This is an application seeking quashing of the order
taking cognizance, dated 25.09.2013, passed by the learned
Chief Judicial Magistrate, Sheohar in connection with
Sheohar SC & ST P.S. Case No. 27 of 2013 (G.R. No.
469/2013), which has been instituted for the offences under



Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 341, 504 and 506 of the Indian Penal Code.

The present petition does not appear to be maintainable as against any order passed by the Special Court of SC/ST (Prevention of Atrocities) Act, there is a provision of appeal.

The petition is dismissed as not maintainable.

The petitioner would however be at liberty to approach the Court, in case so desired, in an appropriate forum at an appropriate stage.

(Ashutosh Kumar, J)

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