

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1867 of 2020

Arising Out of PS. Case No.-175 Year-2020 Thana- EKMA District- Saran

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Ajit Yadav @ Aditya Kumar Yadav Son of Sabha Yadav, resident of Village
- Mukundpur, P.S. Ekma, District - Saran.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant : Mr. Mukesh Kumar Singh, Advocate
For the Respondent : Ms Usha Kumar No.1, SI PP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGEMENT
Date: 11-12-2020

Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State via video conferencing.

2. The instant appeal under Section 14A(2) of the Scheduled Castes and the Schedules Tribes (Prevention of Atrocities) Act, 1989 (for short 'the SC/ST Act') has been preferred by the appellant against the order dated 13.07.2020 passed by the learned Additional District & Sessions Judge 1st-cum-Special Judge (SC/ST), Saran in A.B.P. No.1344 of 2020 whereby the prayer for grant of pre-arrest bail of the appellant in Ekma P.S. Case No.175 of 2020 registered under Sections 341, 323, 324, 504, 427, 479 read with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act, has been rejected.



3. Considering the allegation made against the appellant that he not only abused the informant by taking his caste name '*dhobi*' but also assaulted him with *chhura* causing injury in his left arm, I see no illegality in the impugned order dated 13.07.2020 passed by the learned Additional District & Sessions Judge 1st-cum-Special Judge (SC/ST), Saran. Since the ingredients of the offences under the SC/ST Act are attracted in view of Section 18 of the SC/ST Act, the appeal is not maintainable.

4. Accordingly, the appeal is dismissed as not maintainable.

5. Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present judgment:-

I. The judgment, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me on my email by the Sr. Secretary.

II. The corrected copy of the judgment shall be transmitted by me from my email id to the Sr.



Secretary, which shall be treated to be an authentic copy of the judgment passed by this Court in the present proceeding.

- III. Hard copy of the judgment duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- IV. Let steps be taken by the Sr. Secretary/registry for up-loading of the present judgment without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2020
Transmission Date	14.12.2020

