

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3896 of 2019

Arising Out of PS. Case No.-97 Year-2019 Thana- PATEPUR District- Vaishali

CHANDESHWAR BHAGAT Son of Ganga Bhagat Resident of Village -
Sahpur Bujurg, P.S.- Patepur, District - Vaishali

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lalit Narayan Jha, Adv
For the Respondent/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 13-02-2020 Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 20.07.2019 in A.B.P. No.1667 of 2019 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Hajipur in connection with Patepur P.S.Case No. 97 of 2019 registered under Sections 341,323,379,504,506/34 of the Indian Penal Code as well as under Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes Act.

Allegation against the appellant, in the FIR, is of commission of abuse and assault against the informant, a member of the scheduled caste.

Learned counsel for the appellant submits that false



implication is there due to village politics and atrocity allegedly committed by the informant, who is local Muklhiya.

Since the FIR discloses prima facie accusation of commission of offence under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, the prayer for anticipatory bail is not maintainable.

Hence, this appeal stands dismissed as devoid of any merit.

However, in the event of surrender, prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

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