

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4894 of 2019

Arising Out of PS. Case No.-215 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

ASHOK SINGH @ ASHOK KUMAR SINGH, s/o Hira Singh, Resident of Village-Mohania, P.S.-Mohania, District-Kaimur. At present resident of Mohalla-Kudra-Bhabhua Road, P.S.-Kudra, District-Kaimur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arun Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-02-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 20.08.2019 by the learned Additional Session Judge 1st cum Special Judge, Kaimur at Bhabhua in A.B.P. No. 766 of 2019, arising out of Kudra P.S. Case No. 215 of 2019 registered under Sections 341, 323, 324, 504 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The F.I.R. prima facie discloses accusation of commission of offence under Scheduled Castes and Scheduled



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

Therefore, in an application for anticipatory bail, it cannot be argued that the present case is counter blast to the earlier case lodged by the appellant side.

Hence, I do not find any merit in this appeal against the refusal of prayer for anticipatory bail. Accordingly, it stands dismissed.

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

(Birendra Kumar, J)

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