

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1120 of 2021

Arising Out of PS. Case No.-16 Year-2020 Thana- SC/ST District- Patna

1. KOLEJ RAY Son of Jogendra Ray Resident of Village- Nargada Khagari, P.S.- Shahpur, District- Patna.
2. Guddu Kumar Son of Baiju Ray Resident of Village- Nargada Khagari, P.S.- Shahpur, District- Patna.
3. Pirthivi Ray Son of Salik Ray Resident of Village- Nargada Khagari, P.S.- Shahpur, District- Patna.
4. Tiger Kumar Son of Duraga Ray Resident of Village- Nargada Khagari, P.S.- Shahpur, District- Patna.
5. Deva Ray Son of Late Lorik Ray Resident of Village- Nargada Khagari, P.S.- Shahpur, District- Patna.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ganesh Prasad Yadav
For the Respondent/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 02-11-2021 Heard learned counsel for the appellants.

Learned counsel for the appellants is directed to remove all the defects pointed out by the Stamp Reporter within one month.

This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act for setting aside the order dated 08.09.2020, passed by the learned Special Judge SC/ST Act, Patna, in connection with SC/ST Act P.S.Case No. 16 of 2020, registered for the offences punishable under Sections 341, 323, 504 and 34 of the Indian Penal Code and Sections 3(1)(s), 3(2) (vs) SC/ST Act, whereby the prayer for anticipatory bail of the appellants



has been rejected.

As per the allegation, the appellants in drunken condition abused the informant by calling his caste name and also assaulted him. They also pressed his throat, but he was saved by the villagers.

There is specific allegation of abusing the informant by calling his case name as well as assault by these five appellants. It has not been mentioned that there was previous enmity and the cause of occurrence is previous enmity between the parties. Prima facie, the provision of SC/ST Act attracts to the present case. As such, appeal is dismissed as not maintainable.

Office shall ensure that all defects are removed by the appellant within the stipulated time provided in para 2 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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