

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36348 of 2020

Arising Out of PS. Case No.-169 Year-2020 Thana- BARHARIA District- Siwan

1. Chhotak Mian @ Shahid Hussain, aged about 25 years, Gender-Male, Son of Shekh Ushman Mian, Resident of Village- Siswa, P.S.- Barharia, District- Siwan.
2. Arman Shekh @ Arman Ahmad, aged about 28 years, Gender-Male, Son of Jaan Mohmad, Resident of Village- Siswa, P.S.- Barharia, District- Siwan.
3. Apsad @ Upshad @ Arsad Ali, aged about 26 years, Gender-Male, Son of Sultan Mian, Resident of Village- Siswa, P.S.- Barharia, District- Siwan.
4. Rijul Shah @ Reyajul Shah, aged about 26 years, Gender-Male, Son of Nashruddin Shah, Resident of Village- Siswa, P.S.- Barharia, District- Siwan.
5. Arif @ Arif Husain, aged about 26 years, Gender-Male, Son of Budhan Shah Resident of Village- Siswa, P.S.- Barharia, District- Siwan.
6. Ashif @ Asif Husain, aged about 25 years, Gender-Male, Son of Budhan Shah, Resident of Village- Siswa, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Mishra
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-04-2021 Learned counsel for the petitioners filed this petition under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in Barharia P.S. Case No.169 of 2020, registered under Sections 341, 323, 379, 427 and 34 of the Indian Penal Code and under Sections 3(i) (r) (s) of the SC/ST (POA) Act.

In view of the provisions as contained in Section 18



(A) (II) of the SC/ST Act, the order passed by the Special Judge is appealable, but the learned counsel for the petitioners submits that many orders have been passed by this Court, therefore, he is not inclined to convert this petition into one under Section 14 A (2) of the SC/ST Act.

Accordingly, this petition is dismissed as not maintainable.

(Prabhat Kumar Jha, J)

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