

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22919 of 2021
In
CRIMINAL APPEAL (SJ) No.2190 of 2020

Arising Out of PS. Case No.-290 Year-2015 Thana- JOGAPATTI District- West Champaran

1. Ranjan Thakur (M), aged about 35 years, S/O Motilal Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
2. Rambhajan Thakur, (M), aged about 30 years, S/O Motilal Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
3. Jokhu Thakur, (M), aged about 45 years, S/o Motilal Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
4. Rajeshwar Thakur, (M), aged about 40 years, S/O Motilal Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
5. Bihari Thakur, (M), aged about 45 years, S/o Late Sukhram Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
6. Ramkishun Thakur, (M), aged about 40 years, S/O Late Sukhram Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
7. Nand Lal Thakur, (M), aged about 35 years, S/O Late Sukhram Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
8. Mukesh Thakur, (M), aged about 25 years, S/O Bihari Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.
9. Lal Babu Thakur, (M), aged about 27 years, S/O Bihari Thakur, Resident of Village - Bahuarwa, Pakrihar, P.S. - Sanichari, Dist. - West Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Aditya Nath Jha, Advocate
For the Opposite Party	:	Mr. Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.



The present application has been filed for modification of the order dated 05.03.2021, passed in Cr. Appeal (SJ) No. 2190 of 2020 whereby the then Co-ordinate Bench of this Court had dismissed the appeal preferred under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The present modification application has been filed on behalf of the petitioners stating that the submissions advanced on behalf of the petitioners/appellants do not find place in the order of rejection of anticipatory bail of the petitioners/appellants which was preferred under SC/ST (POA) Act.

Considering the submissions advanced on behalf of the petitioners the prayer for anticipatory bail under SC/ST (POA) Act of the petitioners/appellants was rejected on merit taking note of the nature of accusation and the gravity of the offence which was evident from perusal of the aforementioned order dated 05.03.2021, passed in Cr. Appeal (SJ) No. 2190 of 2020, by the then Co-ordinate Bench of this Court.

The present modification application is nothing but abuse of process of the court.

I find no reason to interfere with the order dated



05.03.2021, passed in Cr. Appeal (SJ) No. 2190 of 2020.

Accordingly, this application is dismissed.

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(Sudhir Singh, J)

