

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1354 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- KATORIYA District- Banka

=====

Sikandar Yadav, Son of Late Jageshwar Yadav, Resident of village - Mohpatta, P.S.- Katoria, District - Banka.

... .. Appellant/s

Versus

1. The State of Bihar
2. Santosh Turi, Son of Baleshwar Turi, Resident of village - Mohpatta, P.S.- Katoria, District - Banka.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Praveen Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, Spl. PP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 23-08-2023 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for respondent no.2.

2. This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 09.02.2023 passed by learned Additional Sessions Judge-I-cum-Special Judge (SC/ST Act), Banka, passed in A.B.P. No.205 of 2023 in connection with Katoria P.S. Case No. 385 of 2022 registered under Sections 341, 342, 323, 324, 337, 338, 436, 504, 506, 34 of the Indian Penal Code and



Section 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The prosecution case, in brief, is that the appellant along with other co-accused persons came to the house of the informant and dragged him out of his house and the appellant and co-accused persons assaulted him with the intention to kill him and abused by taking specific caste name.

4. It is submitted by learned counsel for the appellant that the appellant is falsely been implicated in the present case. Appellant has two criminal antecedents as mentioned in para 3 of the memo of appeal. Learned counsel for the appellant submits that during the pendency of the anticipatory bail application, the process of Sections 82 and 83 of Cr.P.C is completed by the concerned authorities.

5. Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted as processes under Sections 82 and 83 has already been completed, this appeal for anticipatory bail is not maintainable.

6. In the facts and circumstances of the case as well as the fact that processes Sections 82 and 83 of Cr.P.C has been completed, I am not inclined to enlarge the appellants on bail.



The prayer for bail is hereby rejected.

7. Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

saaurabhkrsinha/-

U		T	
---	--	---	--

