
(2017) 01 JH CK 0116
In the Jharkhand High Court
Case No : 2684 of 2016

Ajay Bahadur

APPELLANT

Vs

The State of Jharkhand & Ors

RESPONDENT

Date of Decision : 03-01-2017

Acts Referred:

[Code of Criminal Procedure, 1973](#), [Section 156\(3\)](#) - Police officers power to Investigate cognizable case
[Indian Penal Code, 1860](#), [Section 379](#),
[Section 3](#)

Citation : (2017) 01 JH CK 0116

Hon'ble Judges : Anant Bijay Singh

Bench : SINGLE BENCH

Advocate : A.K. Das

Judgement

1. Four petitioners are apprehending their arrest in connection with Kunda P.S. Case No. 03 of 2015 registered under Sections 323, 353, 379 of the I.P.C. and Section 3 (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, lodged on the basis of written complaint given by Shankar Das being P.C.R. No. 1238 of 2014 in the court of learned Chief Judicial Magistrate, Deoghar, which was referred under Section 156 (3) Cr.P.C . for institution of the case.

2. It is submitted by learned counsel for the petitioners that earlier petitioners have moved anticipatory bail application for anticipatory bail in A.B.A. No. 111 of 2016 and this Court on 17.03.2016 dismissed the prayer of petitioners for anticipatory bail as the same was not maintainable being barred under Section 18 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act .

3. Learned counsel for the petitioners has submitted that this second anticipatory bail application has been filed on the ground that during course of investigation, it transpired that no case under Section 3 (x) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act is made out.

4. Be that as it may, learned counsel for the petitioners is directed to convert the instant anticipatory bail application into an appeal in view of the latest amendment made in Section 14A of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Amendment Act and make necessary correction in the nomenclature.
5. List this case on 18.01.2017 along with A.B.A. No. 365 of 2016 and analogous cases.
6. Till then, no coercive steps shall be taken against the petitioners in connection with Kunda P.S. Case No. 03 of 2015 corresponding to G.R. No. 17 of 2015, pending in the court of Chief Judicial Magistrate, Deoghar.