

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1672 of 2017

Arising Out of PS.Case No. -54 Year- 2016 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Jahangir Khan Son of Late Ehsan Khan, resident of Village- Pujahan
Patjirwa, P.S.- Srinagar, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bimlesh Kumar Pandey

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-07-2017 The appellants seek pre arrest bail in connection with

Srinagar (Pujaha) P.S.Case No.54 of 2016, registered for offences

punishable under Sections 341, 323, 324, 354, 354(2), 379, 448,

504 & 506/34 of the Indian Penal Code and section 3(i)(x) of

SC/ST (Prevention of Atrocities) Act.

Allegation, as per F.I.R. is that the appellant came to the

house of the informant and abused him by taking caste name and

assaulted.

Submission of the learned counsel for the appellant is

that prior to lodging of this case, the appellant had lodged a case

against the informant in connection with commission of rape of

his daughter and with a view to save his skin, the present case has

been filed by the informant by making false allegation including



allegation under Section 3 of S.C./S.T. (Prevention of Atrocities) Act.

It is further submitted that no case is made out under Section 3(i)(x) of SC/ST (Prevention of Atrocities) Act as the occurrence, according to the F.I.R. took place at the '*Darwaza*' of the informant, which not a public place.

Heard learned Special P.P. also.

Having considered both sides and in view of the facts and circumstances, and also as the occurrence took place not in the public place, let the appellant in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge-cum-Additional District and Sessions Judge 1st, Bettiah, West Champaran in connection with Srinagar (Pujaha) P.S.Case No.54 of 2016, subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 11.4.2017 passed by learned Special Judge-cum-Addl. District and Sessions Judge 1st, Bettiah, West Champaran in A.B.P.No.439 of 2017, subject to further conditions that appellant will co-operate in investigation of



the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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