

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1353 of 2017

Arising Out of PS.Case No. -43 Year- 2014 Thana -SC/ST District- SAMASTIPUR

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Rajesh Pandey Son of Chandradeep Panday, Project Manager , Shyam
Power Limited of Village- Bandey, P.s.- Patori, District- Samastipur.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Anirudh Kumar Sinha, Advocate

For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 7.1.2017 passed by 1st Additional Sessions Judge, Samastipur, in ABP No. 2068 of 2016, arising out of Samastipur SC/ST P.S.case No. 43 of 2014 instituted under Sections 147, 148, 323, 341, 379, 504/34 of the Indian Penal Code and 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of pre-arrest bail to the appellant.

Allegation as per FIR against the appellant is that he abused the informant by taking his caste name and there is other allegation also against other accused person.

It has been submitted on behalf of the appellant that



earlier appellant has filed a case against the informant and in order to save his skin the present case has been filed. It has further been submitted that no case under the provision of SC/ST act is made out against the appellant because occurrence took place at the house of the informant and not in public place and it is alleged that informant has been abused.

Having heard both sides and in view of facts and circumstances, as stated above, let the appellant, named above, surrender within four weeks in the court below and on his so surrendering he shall 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 ACJM-III, Samastipur, in connection with Samastipur SC/ST P.S.Case No. 43 of 2014, subject to the condition that appellant will co-operate in the investigation of the case.

The appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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