

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1857 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -KHANPUR District- SAMASTIPUR

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1. Ram Babu Rai, Son of Late Kunj Bihari Rai, Resident of Village-
Nathudwar, P.S.- Khanpur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shruti Sinha

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-08-2017 This appeal is directed against the order dated 03.05.2017 passed by 1st Additional Sessions Judge, Samastipur in A.B.P. No. 641 of 2017 arising out of Khanpur P.S. Case No. 22 of 2017 registered for offences punishable under Sections 341, 323, 354, 504 of the Indian Penal Code and sections 2 (i)(rs)(s), 3(2)(VA) of the SC/ST (Prevention of Atrocities) Act, whereby prayer for anticipatory bail of the appellant has been rejected.

Allegation against the appellant is of assaulting the informant and her daughter by fists and slaps and also undressing the informant.

Submission of the learned counsel for the appellant is that appellant is a retired Army personnel and only false and concocted allegations have been levelled against him. Appellant



has been implicated in this case as he had asked the informant not to put garbage at a particular place. Appellant is an old man aged about 65 years.

Heard learned A.P.P. also. He opposes the prayer for anticipatory bail on the ground of maintainability.

Having heard both sides and in view of the allegations levelled, this appeal is not maintainable. However, appellant may surrender before the Court below within a period of four weeks and make prayer for regular bail, which will be disposed of on its own merit, if possible on the same day, taking into consideration the submissions made above, without being prejudiced by the order of this Court.

With the aforesaid observation, this appeal stands disposed of.

Manish/-

(Vinod Kumar Sinha, J)

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