

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1864 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -BIHIYA District- BHOJPUR

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1. Bittu Singh @ Shashank Kumar Singh son of Rana Singh resident of
Village - Chakwath, P.S. - Bihia, Dist. - Bhojpur (Ara).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sumeet Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-09-2017

Heard the parties.

The appellant seeks pre arrest bail in Bihia
P.S. Case No.123 of 2017 registered for the offence under
Sections 143, 341, 323, 448, 354, 504 and 506 of the
I.P.C. and Section 3(i)(r) and 3(2)(v) of the
SC/ST(Prevention of atrocities)Act.

Allegation against the appellant is of entering
into inside the room and insulting the female members of
the family and also assaulting the informant.

Submission of the learned counsel for the
appellant is that he has been falsely implicated in this



case. As a matter of fact, pond has been settled in favour of the appellant and due to which on the point of fishing some altercation took place for which the appellant had lodged case bearing Bihia P.S. Case No.122/17 prior to filing of the present case in which one Vijay Ram and the informant of the present case, namely, Gopal Ram have been made accused and injury report of appellant in that case is Annexure -3. As such, a false case has been lodged with a view to take revenge.

Heard learned A.P.P. also who opposed the prayer for bail on the ground of maintainability.

Having heard both sides and in view of the submission this appeal is not maintainable. However, appellant is directed to surrender before the court below and pray for regular bail who shall consider the same on the basis of submission as mentioned above and there is case and counter case and the informant has received injury and the land has been settled in favour of the appellant and pass an appropriate order, if possible, same



day without being prejudiced by this order.

(Vinod Kumar Sinha, J)

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