

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1416 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -SIMRA District- AURANGABAD

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Lutan Singh @ Ranjit Singh, S/o Late Paras Nath Singh, resident of
Village- Hathilparshawan, P.S. Simra, District- Aurangabad.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Aditya Narayan Singh-1, Adv.

For the Respondent/s : Sri Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-07-2017 This appeal is for grant of pre-arrest bail in connection with Simra P.S. Case No. 12 of 2016 registered for the offence under section(s) 341, 323, 504, 506 of the Indian Penal Code and section(s) 3 (i) (x) of the SC/ST Act.

Submission of the learned counsel for the appellant is that the FIR itself shows that the cow of the informant entered inside the field of the appellant and for that, some dispute took place and taking advantage of the same, the appellant has been made accused making some allegation of abusing by taking the caste name of the informant just to pressurise the appellant otherwise no occurrence took place rather the informant is at fault. It has further been stated that there is delay of 10 days in sending the FIR.



Heard learned Special Public Prosecutor also. Learned Special Public Prosecutor has opposed the prayer for anticipatory bail of the appellant on the ground that there is an allegation against the appellant of section 3 of the SC/ST (POA) Act, as such, this appeal is not maintainable.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is not maintainable.

Let the appellant surrender before the court below and make prayer for regular bail, which will be considered by the Special Court and the Special Court after considering the submission as stated above and the materials available on record, will pass an appropriate order, if possible on the same day, without being prejudiced by the order of this Court.

With the above observation/direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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