

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2797 of 2017

Arising Out of PS.Case No. -29 Year- 2016 Thana -KARENDE District- SEKHPURA

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Ajay Prasad, son of Shivnandan Prasad, resident of Village- Alalpur, Post and Police Station- Belganj, District- Gaya, at present Anchal Amin Shekhopur Sarai Anchal, Sheikhpura.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Verma

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Karende P.S. Case No. 29 of 2016 registered for the offences punishable under Sections 341, 504, 506 of the Indian Penal Code and Section 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 9.8.2017 passed by Additional District & Sessions Judge-I, Sheikhpura.

Allegation against the appellant, who happens to be Amin, is that he had gone for measurement of land of the informant and there is allegation of demanding of Rs.5000/- from the informant and when he protested the appellant has abused him by taking his caste name.



Submission of learned counsel for the appellant is that no such occurrence has taken place, rather appellant could not make measurement as map was not available and he had gone to obtain the map but the informant has lodged the false and concocted case.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail on the ground of maintainability of the appeal.

Having heard both sides and in view of the allegation, this appeal is not maintainable, rather appellant to surrender and pray for regular bail, which shall be considered by learned Special Judge on the basis of submission made above as well as materials available on record and the court will pass an appropriate order without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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