

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2537 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -BELAGANJ District- GAYA

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1. Jai Prakash Yadav @ Jai Prakash, Son of Ram Briksh Singh, Resident of At- Puranderpur, Mithapur, Police Station- Jakkanpur, District- Patna, At present posted at Gram Panchayat Rauna of Block- Belaganj, Police Station- Belaganj, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Javed Aslam

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-09-2017 Heard the parties.

The appellant seek pre arrest bail in connection with Belaganj P.S.Case No.99 of 2017, registered for offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code and section 3(i)(xi) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is of abusing and threatening and also assaulting the informant, however, submission of the learned counsel for the appellant is that as a matter of fact husband of Mukhia is in the habit of lodging such type of cases and creating obstruction in discharging the official duty and in support of his contention, he has filed several documents, which are annexures 2 to 8, passed by the public



authorities and the appellant is also a government servant.

Heard learned Special P.P. also, who has opposed the prayer for anticipatory bail on the ground of maintainability.

Having considered both sides and in view of the fact that the appeal is not maintainable, let the appellant surrender and make prayer for regular bail on the basis of submissions as stated above before the court of learned Special Judge, who will consider the aforesaid submissions especially that he is also a government servant.

Considering all aspects of the matter, the learned Special Judge will dispose of the prayer for bail of the appellant on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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