

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2480 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

=====

Mukesh Sah, son of Tribani Sah, R/o Sagar Matiya, P.S.- Pipra, District- E.
Champaran.

.... Appellant

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Dhannjay Kumar No 2

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with SC/ST Motihari P.S. Case No. 77 of 2017 registered for the offences punishable under Sections 341, 342, 323, 379, 504/34 of the Indian Penal Code and 3(i)(a)(r)(s) of SC/ST Act and for setting aside the order dated 31.7.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, East Champaran, Motihari.

Allegation against the appellant is of abusing the informant by taking her caste name and also assaulting her.

Submission of learned counsel for the appellant is that occurrence took place with respect to a petty dispute as the



informant she goat of informant was grazing the field of appellant and appellant objected to the same and due to which the false and concocted case has been lodged against him.

Learned Special P.P. has opposed the prayer for pre-arrest bail on the ground of maintainability.

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

Let appellant, above named, 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 he will dispose of the same, if possible, on the same day, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

