

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2627 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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1. Md. Faruk, son of Late Imtiyaz, resident of Kazipura Ward No. 2, Police Station- Kahalgaun, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pravina Kumari

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 06-11-2017

Heard the parties.

The appellant seeks *pre arrest bail* in connection with Kahalguan P.S.Case No.60 of 2016 registered for offences punishable under Sections 354(A) and 34 of the Indian Penal Code and Section 3(xii) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is of taking the informant on the point of dagger and also he tried to drag her to the orchard to outrage her modesty.

Submission of the learned counsel for the appellant is that the appellant has no criminal antecedent and he has been falsely implicated in this case. No case is made out under Section 354 of the IPC.

Heard learned Special P.P. also.



Having heard both sides, this appeal is not maintainable.

Let the appellant surrender before the court of learned Special Judge and make prayer for regular bail, which will be considered by the learned Special Judge on its own merit without being prejudiced by the order of this Court and the application for regular bail of the appellant shall be heard by the learned Special Judge on the basis of materials available on the record and he will dispose of the same, if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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