

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2881 of 2017

Arising Out of PS.Case No. -232 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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Ram Babu Yadav, son of Late Mangal Yadav, R/o Village- Mathurapur,
P.S.- Sadar, Darbhanga, District- Darbhanga.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shailendra Kumar

For the Respondent/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Sadar P.S.Case No. 232 of 2017 registered for the offences punishable under Sections 451, 461, 380, 427, 504/34 of the Indian Penal Code and 3(i)(g) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 21.7.2017 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Darbhanga.

Allegation as per FIR against the appellant is that he tried to dispossess the informant from his house, abused the informant by taking his caste name and also assaulted him.

Submission of learned counsel for the appellant is that no such occurrence has taken place and the land belongs to the



appellant and in support of his contention he has annexed Annexure-5 and with a view to grab the land the present false and concocted case has been filed.

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

Having heard both sides and considering the facts and circumstances of the case, this appeal is not maintainable.

Let appellant, above named, surrender within a period of six weeks and pray for regular bail, which shall be considered on the basis of submission made above as well as materials available on record, without being prejudiced by this order and disposed of preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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