

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3005 of 2017

Arising Out of PS.Case No. -91 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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Sudhakar Rai @ Tufani Rai, S/o Shri Jagdish Rai, R/o Village- Chiknauta,
P.S.- Hajipur Town, District- Vaishali.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Manish Chandra Gandhi

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

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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 Industrial Area P.S.Case No. 91 of 2017 registered for the offences punishable under Sections 147, 341, 323, 379 of the Indian Penal Code and 3(c) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 9.8.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur.

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

Submission of learned counsel for the appellant is that prior to lodging of present case the appellant has filed a case



against informant and others (Annexure-2) and in order to save his skin the present false and concocted case has been filed and no such occurrence has taken place.

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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