

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.66 of 2017

Arising Out of PS.Case No. -197 Year- 2016 Thana -RAMKRISHNANAGAR District- PATNA

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1. Khilari Yadav @ Khilari Ray, Son of Binda Ray, Resident of Mohalla -
Jaganpur, P.S. Ramkrishna Nagar, District - Patna

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nagendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 19-06-2017 The appellant seeks anticipatory bail in connection with

Ram Krishna Nagar P.S. Case No. 197/2016, registered for
offences punishable under Sections 341, 323, 324, 504 and 506 of
the Indian Penal Code and Section 3(1) of the SC/ST Act.

Allegation against the appellant is that the appellant
installed an iron rod in the open space of the informant and
completed the P.C.C. Casting work. On objecting by the
informant, he abused the informant by taking his caste name.

It has been submitted on behalf of the appellant that this
is a counter case, which has been lodged by the informant, to the
case lodged by the appellant on 03.09.2016 and after three days
the present case has been lodged. It has further been submitted that
there is no any injury report of the informant on the record and no



such occurrence has been taken place as stated in the F.I.R.

Heard learned Special P.P. also. It has been submitted that the allegation made in F.I.R., prima facie shows a case u/s SC & ST Act against the appellant, hence prayer for pre-arrest bail is not maintainable.

Having heard both sides, in view of the allegation, the pre-arrest bail is not maintainable.

However, the appellant may surrender before the Court below and make prayer for regular bail, which will be considered by the court below and the Court below shall pass an appropriate order, preferably on the same day.

(Vinod Kumar Sinha, J.)

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