

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.741 of 2017

Arising Out of PS.Case No. -84 Year- 2015 Thana -BALIGAON District- VAISHALI(HAJIPUR)

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1. Dinesh Rai, Son of Ramvilash Rai, Resident of Village- Chakdahri,
P.S.- Baligaon, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharmendra Kumar Paswan

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 21-06-2017 The appellant seeks anticipatory bail in connection with Baligaon P.S. Case No.84 of 2015 registered for the offences punishable under Sections 341, 342, 323, 353, 379, 307, 504 and 506/34 of the Indian Penal Code and Section 3(i) (x) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he has assaulted the informant and has abused him by taking his caste name.

It has been submitted on behalf of the appellant that nothing specific has been alleged against the appellant and it is also not alleged that who has abused the informant by taking his caste name and he has falsely been implicated in this case.

Heard learned Special P.P. also. It has been



submitted that the allegation made in the FIR 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 prima facie allegation, I am not inclined to grant privilege of pre-arrest bail to the appellant, rather appellant to surrender in the court below and make prayer for regular bail before the Special Judge, which shall be considered on the basis of the submissions made above and the learned court below shall pass appropriate order without being prejudiced by the present order, if possible on the same day.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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