

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.864 of 2017

Arising Out of PS.Case No. -74 Year- 2015 Thana -KOTWALI District- PATNA

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ANIL KUMAR SINGH @ ANIL SINGH & ORS

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Damodar Tiwary.

: Mr. Prem Ranjan Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2017

The appellant seeks pre arrest bail in connection with Kotwali P.S. Case No. 74 of 2015, registered for offences punishable under Sections 504, 506 and 34 of the Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant that he along with others have abused the informant by calling him by his caste name.

It has been submitted on behalf of the appellant that out and out false allegation has been levelled against the appellant and police after investigation has also not found the allegations, true. However, learned Special Judge has taken cognizance against the appellant.

Heard learned Special P.P. also.

Having heard both sides, from perusal of the F.I.R. itself



it appears that *prima facie* case under the above mentioned Section of SC/ST (Prevention of Atrocities) Act, is made out against the appellant and also the cognizance has been taken against the appellant as such this appeal is not maintainable. Let appellants surrender before the Special Court and make prayer for regular bail and if any such application is filed, the Special Court after considering the submission of learned counsel for the appellants and also after considering the fact that police after investigation has not found the case true, shall pass an appropriate order, without being prejudice by the order of this Court, if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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