

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2402 of 2017

Arising Out of PS.Case No. -422 Year- 2017 Thana -BARACHATTI District- GAYA

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Vijay Yadav, Son of Mohan Yadav, Resident of Village- Jamuher, P.S.-
Mohanpur, District- Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vishwa Ranjan Choudhary

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Barachatti (Mohanpur) P.S. Case No.422 of 2017 registered for the offences punishable under Sections 323, 354, 504 and 506 of the Indian Penal Code and 3(i)(r)(s) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the order dated 03.08.2017 passed by learned Special Judge, SC/ST, Act, Gaya in A.B.P. No.97 of 2017.

The allegation against the appellant is of lifting the informant in his lap and trying to press her neck, however, on *hulla* other persons came there and thereafter the appellant fled away.

Submission of learned counsel for the appellant is that there is delay of five days in lodging the FIR and further that the



appellant has falsely been implicated in this case.

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

Having heard both sides and in view of facts and circumstances, this appeal is not maintainable.

Let appellant, above named, surrender before the court of Special Judge and pray for regular bail, which shall be considered on the basis of the submissions stated above, and other materials available on record, without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J.)

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