

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3106 of 2017

Arising Out of PS.Case No. -31 Year- 2016 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Shyam Sharan Sharma, son of Upendra Rai, resident of village Sahuri, P.S.
Chakamehasi, District Samastipur, at present residing in village Jeetpur,
P.S. Jitna, District East Champaran

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Ghorasahan (Jitna) P.S. Case No. 31 of 2016, registered for the offences punishable under Sections 341, 323, 504 of the Indian Penal Code and 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 21.6.2017 passed by Additional Sessions Judge-I, East Champaran, Motihari.

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

Submission of learned counsel for the appellant is that appellant is a teacher in the school and informant is Headmaster of the said school and due to some service dispute between them



from before and, as such, the present false case has been filed and as a matter of fact no such occurrence has taken place.

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

Having heard both sides and in view of the facts and circumstances, this appeal is not maintainable, rather appellant to surrender and pray for regular bail, which shall be considered on the basis of submission made above and the materials available on record and disposed of preferably on the same day, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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