

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1868 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -BAJPATTI District- SITAMARHI

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1. Jai Kishore Rai son of Biru Rai
2. Raj Kishore Rai son of Biru Rai
3. Ful Babu Rai son of Raj Kishore Rai
4. Pukar Mahto @ Ram Pukar Mahto son of Shobhit Mahto All residents of
Village- Piparadhi, Police Station- Bajpatti, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2017 Heard the parties.

The appellant seeks pre arrest bail in connection with Bajpatti P.S.Case No.131 of 2016, registered for offences punishable under Section 427 of the Indian Penal Code and Section 3 (i)(x) of S.C./S.T. Act.

Allegation against the appellant is that he along with other accused persons came in the field of the informant, which has been settled by the government in favour of the informant, and tried to dispose of the same and further allegation is that they have abused the informant by taking caste name, however, it is submitted on behalf of the appellant that the informant is in the habit of lodging such type of case. He again lodged a case after 15



days, which was found false and also recommended action against the informant. It is further submitted that the informant has criminal antecedent and he is accused in three cases. The appellant has a land adjacent to the land of the informant and there is dispute between the parties, due to which the present case has been filed to put pressure on the appellant.

Heard learned Special A.P.P. also, who has opposed the prayer for pre arrest bail on the ground that this is not maintainable.

Let appellant surrender before the special court and make prayer for regular bail, which will be considered by the learned Special Judge on the basis of submissions as stated above as well as the materials available on the record and he will pass appropriate order, if possible on the same day.

With the above direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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