

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1976 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -SC/ST District- KATIHAR

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Md. Sattar @ Md. Rutar @ Khodwa, son of Samser Ali, resident of Village-
Ramchandrapur Kewala, P.S.- Prampur, District- Katihar.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Md. Musowir

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order
the order dated 5.6.2017 passed in A.B.P. No. 668 of 2017 by
Special Judge, Katihar, arising out of Katihar SC/ST P.S.Case No.
8 of 2017 registered for the offences under Sections 341, 323, 354,
504, 506 of the Indian Penal Code and 3(i)(a) of Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act and for grant
of anticipatory bail to the appellant.

Allegation against the appellant as per FIR is that he
has abused the informant and assaulted her also by slipper.

It has been submitted on behalf of the appellant that
this is a false and concocted case and he has falsely been



implicated in this case and there was dispute between the parties from before.

Learned Special P.P. has opposed the prayer stating that mere perusal of FIR it appears that prima facie case under Section 3(i)(a) of the Act is made out against the appellant, as such, this appeal for pre-arrest bail is not maintainable.

Having heard both sides and considering the facts and circumstances, this appeal is not maintainable, rather appellant to surrender and make prayer for regular bail, which will be considered by the Special court below on the basis of the submission made above as well as on the basis of allegation and pass appropriate order, if possible, on the same day, without being prejudiced by this order.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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