

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2649 of 2017**

Arising Out of PS.Case No. -103 Year- 2017 Thana -MAHARAJGANJ District- SIWAN

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Arvind Kumar Kunwar

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Rajesh Roy

For the Respondent/s : Mr. Sri Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      12-09-2017              The appellant seeks pre arrest bail in connection with Maharajganj P.S. Case No. 103 of 2017, registered for offences punishable under Sections 147, 341, 323, 353, 504, 379 of the Indian Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellant is of abusing the informant by caste name

It has been submitted on behalf of the appellant that he has falsely been implicated in this case and no occurrence as alleged in the F.I.R has taken place. It has also been submitted that in fact the appellant has gone to bank to withdraw the money and informant being office assistant in the Bank, asked him to come tomorrow and when the appellant complained about said act of informant to superior authority, he became angry and filed the present false case.



Heard learned Special P.P. also.

Having heard both sides, in view of the fact that a *prima facie* case under the above mentioned Section of SC/ST Act is made out against the appellant, as such, this appeal is not maintainable.

Let appellant surrender before the special court and make prayer for regular bail and if any such application is filed, the special court after considering the above submission of learned counsel for the appellant, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

**(Vinod Kumar Sinha, J)**

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