

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2101 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Yogendra Bind Son of Sanchan Bind Resident of Village- Baraka Gaon,
P.S. Belaon, District- Kaimur at Bhabua.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajani Kant Pandey

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-07-2017 The appellant seeks pre arrest bail in connection with Mahila (Bhabhua) P.S. Case No. 37 of 2017, registered for offences punishable under Sections 354(B) Indian Penal Code and section 3(1)(W) of SC/ST Act.

Allegation against the appellant that he entered into house of the informant and tried to commit rape on her.

It has been submitted on behalf of the appellant that out and out false and fabricated case has been lodged against the appellant. Further there is delay of two days in lodging F.I.R, for which no plausible explanation has been offered. Further appellant and informant are next door neighbours and dispute arose with regard to throwing the egg's chunk in front of the house of the informant



Heard learned Special P.P. also.

Having heard both sides, in view of the fact that a *prima facie* case under the above mentioned sections 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 submission of learned counsel for the appellant and also after considering other materials available on record, 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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