

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1877 of 2017

Arising Out of PS.Case No. -60 Year- 2016 Thana -SC/ST District- JAMUI

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Janardhan Mandal @ Janardan Mandal son of Late Arjun Mandal Resident
of Village - Matihana Thana Chowk, Police Station - Sono, District - Jamui.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shyama Nand Thakur, Advocate

For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order
the order dated 06.06.2017 passed in A.B.P. No. 426 of 2017 by
Special Judge, SC/ST Act, Jamui, arising out of Jamui P.S.Case
No. 60 of 2016 registered for the offences under Sections 341,
323, 420, 504, 506 of the Indian Penal Code and 3(i)(a)(r) of
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act and for grant of pre-arrest bail to the appellant.

Allegation against the appellant is that he abused the
informant by taking his caste name.

It has been submitted on behalf of the appellant that
the case is false and concocted which is evident from FIR itself



and reason behind it is land dispute between the parties, which is also evident from the FIR itself.

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)(r) 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. Let appellant 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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