

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2144 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -TISIAUTA District- VAISHALI(HAJIPUR)

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Ranjan Singh @ Rajiv Ranjan Kumar, S/o Arbind Singh, Resident of
Village- Aswari, P.S.- Tisiauta, District- Vaishali.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order
the order dated 16.6.2017 passed in A.B.P. No. 128 of 2017 by
Additional Sessions Judge-I-cum-Special Judge, Vaishali at
Hajipur, arising out of Tisiauta P.S.Case No. 22 of 2017 registered
for the offences under Sections 341, 323, 307, 354, 504/34 of the
Indian Penal Code and 3(i)(r)(s)(w) of Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act and for grant of
pre-arrest bail to the appellant.

Allegation against the appellant and other co-accused
persons is of catching hold of sister of informant and trying to
outrage her modesty but when people assembled they have



assaulted brother of the girl.

It has been submitted on behalf of the appellant that two days prior to lodging of this case the appellant has filed a complaint against the informant and thereafter the present false and concocted case has been filed in order to create pressure on him and no such occurrence took place.

Learned Special P.P. has opposed the prayer stating that mere perusal of FIR it appears that prima facie case under the provisions of SC/ST 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.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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