

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.487 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- HASANGANJ District- Katihar

MD. ALTAF @ ALTAF HUSSAIN, Son of Late Md. Abdul Satar, Resident of  
Village- Badhua Kol, P.S. Hasanganj, District Katihar

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

**Appearance :**

For the Appellant/s : Mr.Bimal Kumar, Advocate

For the Respondent/s : Mr.Binay Krishna, Special P.P.

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

**Date : 05-03-2019**

This appeal is for grant of pre-arrest bail to the appellant against the order dated 8.1.2019 passed by Additional District Judge-I-cum-Special Judge, Katihar, in A.B.P. No.125 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Hasanganj P.S.Case No. 89 of 2018, registered under Sections 341, 504, 506/34 of the Indian Penal Code and Section 3(a)(s)(x), (t) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is he attended the call of nature in the temple, which was objected to by the informant and informant was assaulted by the appellant and thereafter he tried to kill the informant by pistol and as wife of informant woke up he fled away.

Submission of learned counsel for the appellant is that the whole allegation is false and concocted and as a matter of fact there was some dispute between the parties and for that the present allegation has been made and further appellant is about 70 years old.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the appellant. If appellant surrenders and make prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this appeal is dismissed.

**(Vinod Kumar Sinha, J)**

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