

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1027 of 2019**

Arising Out of PS. Case No.-6 Year-2018 Thana- SC/ST District- Banka *

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RAGHU SINGH @ RAGHUNANDAN SINGH Son of Narsingh Singh
Resident of Village- Fulhara, P.S.- Belhar, District - Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha, Adv.
For the Respondent/s : Smt. Usha Kumari, Spl. P.P.

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

Date : 26-03-2019

The appellant seeks pre arrest bail in connection with Banka SC/ST P.S. Case No. 06 of 2018, registered for offences punishable under Sections 448, 341, 323, 504, 506 of the Indian Penal Code and Section 3(i)(r) of SC/ST Act.

Allegation against the appellant is that the appellant came at darwaza of the informant and inquired about the informant then, his mother came and told the appellant that he has gone to attend the call of nature, on which, he abused the mother of informant by caste name and assaulted her with fists and slaps and when informant came, appellant also assaulted him and abused him by caste name.

It has been submitted on behalf of the appellant that he is neighbour of the informant and has falsely been implicated in this case and no such occurrence as narrated by the informant has ever



taken place, which will appear from the fact that there is delay in lodging the F.I.R. and further there is land dispute between the parties. It has also been submitted that earlier the appellant has been given the benefit of Section 41(A) of the Cr.P.C. and has been released by the police on executing personal bond and he has not misused the same.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the appellant rather he should surrender before the concerned court below and pray for regular bail and if any such petition is filed, the court below after considering the fact that earlier the appellant has been given the benefit of Section 41(A) of the Cr.P.C. and he has not misused the same, shall dispose of the petition of the appellant, if possible on 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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CAV DATE	
Uploading Date	
Transmission Date	

