

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2564 of 2019**

Arising Out of PS. Case No.-335 Year-2019 Thana- SASARAM NAGAR District- Rohtas

MINTU @ JAY PRAKASH Son of Sri Bhanu Prakash Resident of Mohalla -
Kabirganj Sasaram, P.S.- Sasaram (T), District- Rohtas

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajani Kant Singh

For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 03-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

The appellant seeks pre-arrest bail in connection with
Registered Case No. 99 of 2019 arising out of Sasaram Town
P.S. Case No. 335 of 2019 registered under Sections 341, 323,
427, 504 and 379/34 of the Indian Penal Code and Section 3(i)
(r)(s) of the SC/ST Act.

Appellant is said to have slated the informant in the
name of his caste, damaged the glass of his vehicle and also
assaulted him.



It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, appellant runs the seed shop and price of the seed taken by the informant from his shop is due to the informant, so informant has filed this false and frivolous case against the appellant with malafide intention to usurp the same. There is no allegation against the appellant of slating the informant in specific name of his caste. Informant has not sustained any injury. Hence no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge, Rohtas at Sasaram in connection with Registered Case No. 99 of 2019 arising out of Sasaram Town P.S. Case No. 335 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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