

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5364 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- SC/ST District- Darbhanga

Ram Lakhan Yadav, Son of Late Nathuni Yadav, Resident of Village and P.O.-
Andauli, P.S.- Ali Nagar, District- Darbhanga.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Shama Sinha, Advocate

For the Respondent/s : Mr.Usha Kumari No.1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-12-2019 Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

The appellant in the present case is seeking anticipatory bail in connection with Darbhanga SC/ST P.S. Case No. 108 of 2018 registered for the offences punishable under Sections 406, 420, 341, 323, 504/34 of the Indian Penal Code and Sections 3(1) (r), 3(1) (s) of SC/ST (Prevention of Atrocities) Act.

Although learned counsel for the appellant submits that it is a case of false implication and no case under the provisions of SC/ST (Prevention of Atrocities) Act would be made out, this Court finds that in this case charge-sheet has already been submitted and the learned court below has taken cognizance of the offence under the various provisions of the Indian Penal Code as well as under the provisions of the SC/ST



(Prevention of Atrocities) Act and the appellant is said to have been summoned.

In the aforesaid view of the matter, this Court would not exercise its power to grant pre-arrest bail to the appellant.

In case the appellant surrenders and prays for regular bail before the learned court below within four weeks from today, his prayer for regular bail shall be considered by the court below on its own merit and all the submissions of the appellant shall be considered independently and his prayer for regular bail shall not be rejected only because this Court has not entertained the present application for grant of anticipatory bail.

This appeal stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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