

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2032 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- SARAI District- Vaishali

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PAPPU SAH, Son of Suresh Sah Resident of Village-Mahamdabad
(Alabalpur) @ Mohamadabad, P.S.- Sarai, Distt.- Vaishali.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Chandra Gandhi, Advocate
For the Respondent/s : Ms. Usha Kumari- I, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 16-04-2021 Heard learned counsel for the appellant and learned
counsel for the State through Virtual Court Proceeding.

This appeal is admitted.

This is an appeal against the refusal of prayer for anticipatory bail vide order dated 17.06.2020 passed by learned 1st A.D.J.-cum- Special Judge, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 02 of 2020, registered under Sections 341, 323, 324, 354, 504/34 of the Indian Penal Code and under Section 3(i)(w), 3(2) (v-a) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

On 14.12.2019 the informant gave her statement at Hajipur Sadar Hospital that on 12.12.2019 at about 6:00 P.M. in the evening Pappu Sah, the appellant, along with 4-5 persons came and abused her by taking her caste name on a public place



and caught her hair and dashed on the earth and torn her Saari and blouse. It has further been alleged that when the brother and mother of the informant came to save her, they were also assaulted by the appellant.

On perusal of the case diary it appears that the witnesses have supported the case of the informant.

In such view of the matter, this Court is not inclined to grant anticipatory bail to the appellant. Accordingly, the prayer for bail is rejected and the appeal stands dismissed. However, if the appellant surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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