

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.714 of 2021**

Arising Out of PS. Case No.-27 Year-2020 Thana- LAURIA District- West Champaran

BIPIN SAH Son of Rama Sah Resident of Village - Loharpatiya, Naya Basti,
P.S.- Lauriya, Distt.- West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 27-09-2021 Heard Mr. Sanjeev Kumar, learned counsel for the appellants and Mr. Sadanand Paswan, learned Spl. PP for the State.

The appellant has challenged the order dated 08.07.2020 passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST/POCSO) Bettiah, West Champaran in A.B.P. No. 665 of 2020 arising out of Lauriya P.S. Case No. 27 of 2020, whereby the prayer made on behalf of the appellant for grant of pre-arrest bail for the offences under Sections 306/34 of the Indian Penal Code and Sections 3(2)(v) of the SC/ST (Prevention of Atrocities) Act has been rejected.

The accusation against the appellant and others is of stalking the deceased and speaking against her in



the village which forced her to commit suicide.

Mr. Sanjeev Kumar, learned Advocate for the appellant has submitted that the accusation is squarely directed towards one Nitesh and the appellant has been made accused in this case because he happens to be the maternal uncle of aforesaid Nitesh. It has further been submitted that one Nitu Gupta has been granted regular bail by a Bench of this Court.

Considering the nature of accusation against the appellant, I am not inclined to interfere with the order impugned whereby the prayer for anticipatory bail of the appellant has been rejected.

The appeal is dismissed.

Should the appellant surrender before the court below and seek bail, it shall be considered on its own merits taking into account all necessary facts including that co-accused with similar allegation has been granted bail and shall pass orders in accordance with law without being prejudiced by the fact that the present appeal on his behalf has not been entertained.

(Ashutosh Kumar, J)

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