

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3346 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- SC/ST District- Supaul

SURESH KUMAR DAS @ LALTU @ SURESH KUMAR S/o Late Moti Lal
Das R/V- Gadhiya, Ward no. 12, P.O.- Jhilladumri, P.S.- Bhaptiyahi, Distt-
Supaul. ... Appellant

Versus

The State of Bihar ... Respondent

Appearance :

For the Appellant/s : Mr.Pramod Mishra, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-11-2022 Heard learned counsel for the appellant, the State and
the informant.

The present appeal has been filed for setting aside the order dated 5.4.2022, arising out of Supaul SC/ST Police Station Case No. 39 of 2021, registered for the offence punishable under Sections 323/420/34 and other sections of the IPC and sections 3(i)(r)(s) of SC/ST Act, by which prayer for pre-arrest bail of appellant has been rejected.

As per the prosecution case, Rs.7.28 lacs had been taken by the petitioner from the informant for opening a medical shop by way of friendly loan and assured to return the same within three months. In panchayati, on stamp paper, petitioner again gave assurance to return the said amount within further three months. It is further alleged that when the informant went to the house of the informant for return of the loan amount, the petitioner abused her by caste name and also threatened her of dire consequences.

It is submitted on behalf of appellant while denying the allegation submits that the appellant has already returned the friendly loan and the instant case has been lodged only with a view to harass the appellant.

However, learned counsel for the State as well as



learned counsel for the respondent no.2 oppose the prayer for pre-arrest bail. They submit that there is allegation against the appellant that he took loan from the informant which he did not return and also abused the informant by caste name.

Considering the aforesaid facts and circumstances, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, seeking pre-arrest bail to the appellant, is hereby dismissed.

(Prabhat Kumar Singh, J)

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