

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.4197 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- BHAGWANPUR District- Begusarai

Tinku Rai @ Tinku Kumar Son of Hare Ram Ray @ Hare Ram Rai Resident
of Village - Narharipur, P.S.- Bhagwanpur, Dist.- Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajiv Paswan Arjun Paswan Village-Makhwa,P.S-Bhagwanpur,District-Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

5 07-04-2022 Heard learned counsel for the parties.

Learned counsel for the appellant submits that appellant is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that there is delay in filing the First Information Report. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Learned Special Public Prosecutor for the State submits that cognizance has been taken against the appellant in this case, therefore, this appeal is not maintainable in view of the judgment of the Apex Court in the case of *Bachu Das vs. State of Bihar and others* reported in (2014) 3 Supreme Court Cases 471.

Accordingly, this appeal is dismissed as not maintainable.

(Anjani Kumar Sharan, J)

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