

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4306 of 2022**

Arising Out of PS. Case No.-371 Year-2022 Thana- NAGAR District- Vaishali

KRISHNA BIHARI YADAV S/O Surendra Rai R/O Village and Panchayat-
Manua, P.S- Hajipur Sadar, District- Vaishali, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Anil Kumar Ram S/O Late Mohar Ram R/O Village- Pithauri, P.S-
Baniyapur, District- Chapra, Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prakash Chandra, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

5 26-04-2023 Heard learned counsel for the appellants, the State and
respondent no.2.

The present appeal is directed against the order dated 25.0.2022, passed in a case registered for the offence punishable under Sections 353/427/504/506 of the Indian Penal Code read with Sections 3 (i) (r) (s) of SC/ST (POA) ACT, whereby anticipatory bail of the appellants has been rejected.

As per FIR it is alleged that on 29.03.2022 when informant was working in office, this petitioner entered in the office and abused the informant by taking his case name and threatened to kill him. It is further alleged that he also destroyed the revenue papers of the office.



Learned counsel for the appellant submits that FIR has been lodged after one month of the occurrence and there is no explanation for the delay. In fact appellant invited the appellant through mobile phone to meet him at his office and on reaching the office informant demanded rupees one lakh to file an application before Executive Engineer for issuing the license. On refusal, the informant lodged this false and concocted case on this petitioner.

However, counsel for the State vehemently opposed the appeal for the bail and submits that in para no. 7 to 9 of the case diary, the witnesses have supported the allegation of the informant. Moreover, as per para no. 14 of case diary, case has been found true against the petitioner. As such, there is *prima facie* allegation of commission of offence under SC/ST Act against the appellant.

In view of the facts and circumstances of the case, I do not find any reason to interfere with the impugned order. This appeal seeking pre-arrest bail is dismissed.

(Prabhat Kumar Singh, J)

Kaushik/-

U		T	
---	--	---	--

