

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.560 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- MOUZA HIDPUR District- Bhagalpur

Ravi Kumar Sinha @ Ravi Kumar

... .. Appellant/s

Versus

The State of Bihar & Anr.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Praveen Kumar, Advocate
For the Respondent/s : Mr. Usha Kumari 1, Spcl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the appellant, learned Special P.P. Usha Kumari, No. 1 along with learned counsel appearing on behalf of the respondent no. 2.

2. The petitioner apprehends his arrest in connection with Mojahidpur (Babarganj) P.S. Case No. 350 of 2023, registered for the offences punishable under Sections 341, 342, 323, 354(A), 504, 34 of the Indian Penal Code along with Sections 3(1)(r)(s) of the SC/ST Act.

3. Learned counsel for the appellant submits that the appellant has been falsely implicated in the present case. It is next submitted that on account of dispute relating to selling of land, the present occurrence is alleged to have taken place. It is further submitted that in the nature of allegation, *prima facie* no offence under the SC/ST Act is



made out for the reason that the F.I.R. does not even remotely suggests that the occurrence was witnessed by any independent witness. It is also submitted that the date of occurrence is 04.08.2023 and the F.I.R. came to be instituted on 26.10.2023 that is after a delay of more than two and a half months which casts an aspersion on the case of the prosecution.

4. Learned Special P.P. along with learned counsel appearing on behalf of the respondent no. 2 opposes the appeal but then are not in a position to rebut the submission of the learned counsel for the appellant that the F.I.R. was instituted after two and a half months of the occurrence.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge – III- cum- Special Judge (SC/ST Act), Bhagalpur, where the case is pending/successor court in connection with Mojahidpur (Babarganj) P.S. Case No. 350



of 2023, subject to the conditions as laid down under Section
438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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