

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2240 of 2017

Arising Out of PS.Case No. -54 Year- 2017 Thana -TARIYANI CHOWK District- SHEOHAR

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1. Anoj Upadhyay @ Manoj Upadhyay son of Satyendra Upadhyay
 2. Tutu Tiwari, son of Late Madan Tiwari
 3. Gopal Upadhyay, sonof Manoj Upadhyay
 4. Ratnesh Upadhyay son of Late Shatrudhan Upadhyay
- All resident of village Mahuaria, P.S. Sheohar, District Sheohar
- Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Devendra Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-08-2017 Heard the parties.

The appellants seek pre arrest bail in connection with Tariyani P.S.Case No.54 of 2017, registered for offences punishable under Sections 341, 323, 379, 353 and 504/34 of the Indian Penal Code and section 3(i)®(s) of SC/ST (Prevention of Atrocities) Act.

Allegation against the petitioner is of assault and abusing the informant.

Submission of the learned counsel for the appellants is that they have been falsely implicated in this case as no such occurrence has taken place and now the parties have decided the matter outside the court.

Heard learned Special P.P. also, who has opposed the



prayer for bail on the ground that there is specific allegation under S.C./S.T. (Prevention of Atrocities) Act against the appellants.

Having considered both sides and in view of the above facts, this appeal is not maintainable.

Let the appellants surrender and make prayer for regular bail before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, on the ground of submission as stated above as well as other materials available on the record and considering the same, the learned Special Judge will dispose of the application for bail of the appellants, if possible on the same day. He will also consider the fact that settlement has been done between the parties.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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