

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3096 of 2017

Arising Out of PS.Case No. -191 Year- 2017 Thana -SAHEBGANJ District- MUZAFFARPUR

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Dudle Pandey @ Dhudale Pandey @ Amrendra Kumar & Anr
..... Appellants/s

Versus

The State of Bihar

..... Respondent/s

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Appearance :

For the Appellants/s : Mr. Nachiketa Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-11-2017 The appellants seek pre arrest bail in connection with Sahebganj P.S. Case No. 56 of 2016, registered for offences punishable under Sections 147, 148, 149, 341, 342, 323, 307, 333, 353, 427 and 504 of Indian Penal Code and section 3(1)(r)(S)2(va) of SC/ST (POA) Act and under Section 3/4 of the Essential Public Service Act.

Allegation against the appellants is of obstructing the police personal in discharge of their official duty and of assaulting them.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case and there was no person at the place of occurrence and further there is no allegation attracting the penal provisions of SC/ST Act.

Heard learned Special P.P. also.



Having heard both sides, in view of the fact that the appellants are named in the F.I.R and there is allegation against the appellants of assaulting the police party and obstructing them to discharge their official duty, as such, I am not inclined to grant the privilege of pre arrest bail to the appellants rather this appeal is disposed of with direction to the appellants to surrender before the special court and make prayer for regular bail and if any such application is filed, the special court after considering the submission of learned counsel for the appellants, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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