

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1442 of 2017

Arising Out of PS.Case No. -19 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

- =====
1. Zamila Khatoon, Wife of Langar Mian @ Hadish Mian.
 2. Md. Ashraf @ Ashraf, Son of Langar Mian @ Hadish Mian, Both Resident of Village- Dhiran Chapra, P.S.- Bela, District - Muzaffarpur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pradeep Narain Kumar
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-08-2017 Heard the parties.

The appellants are apprehending their arrest in Mithanpura P.S. Case No.19/15 for the offence under Sections 302, 120(B)/34 of the I.P.C. and Section 3(iii)(v) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

Allegation against the appellants is of killing the son of the informant.

Submission of the appellants is that there is no eye witness to the occurrence and they have falsely been implicated in this case on the basis of suspicion and the F.I.R. itself shows that there is dispute between the parties.

Heard the learned A.P.P.also.

Having heard both sides and in view of the facts and



circumstances, as stated above, this appeal is not maintainable, rather the appellants to surrender before the court of Special Judge and pray for regular bail, which will be considered on same day on its own merit without being prejudiced by this order.

This appeal is disposed of with the aforesaid observation.

(Vinod Kumar Sinha, J)

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