

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1736 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -ROSHANGAANJ District- GAYA

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1. Deepak Kumar, Son of Jitendra Kumar @ Jitendra Prasad Singh,
2. Tarak Nath @ Tarak Nath Prasad, Son of Late Sahdeo Prasad,
3. Mahesh Kumar, Son of Rajan Mahto, All Resident of Village- Jamuara
Kala, P.S.- Raushanganj, District- Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha, Adv.

For the Respondent/s : Sri Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 This appeal is for grant of pre-arrest bail in connection with Raushanganj P.S. Case No. 4 of 2017 registered for the offence under section(s) 353, 354D/34 of the Indian Penal Code and section(s) 3 (1) (r) (S) of SC/ST (POA) Act.

Submission of the learned counsel for the appellants is that the appellants have falsely been implicated in this case as they have made complaint against the informant that she was not taking class regularly and due to that, a false and concocted case has been lodged against them. It has further been submitted that now the parties have settled the dispute outside the Court.

Heard learned Special Public Prosecutor also.
Learned Special Public Prosecutor has opposed the prayer for



anticipatory bail of the appellants on the ground that a prima facie case is made out against them on perusal of the FIR, as such, this appeal is not maintainable.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is not maintainable.

Let the appellants surrender before the court below and make prayer for regular bail, which will be considered by the Special Court and the Special Court after considering the submission as stated above and the materials available on record, will pass an appropriate order, if possible on the same day, without being prejudiced by the order of this Court.

With the above observation/direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Mahesh/-

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