

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1848 of 2017

Arising Out of PS.Case No. -85 Year- 2016 Thana -SAHPUR District- PATNA

=====

1. Pintoo Kumar,
2. Anil Kumar
3. Sunil Kumar, All Sons of Sri Ram Niwash Rai, Resident of Village-
Raghurampur Jamun Ahara, Sahpur, District- Patna.

.... Appellants

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Mukesh Kumar No-1

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Sahpur P.S.Case No. 85 of 2016 registered for the offences punishable under Sections 341, 323, 379, 504, 506 of the Indian Penal Code and 3(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 17.9.2016 passed by Additional Sessions Judge-I, Patna.

Allegation against the appellants is of abusing the informant by taking his caste name at night on road.

Submission of learned counsel for the appellants is that no such occurrence has taken place and there is nothing on record



that informant has disclosed his caste name and there is six days delay in lodging FIR. Further submission is that there is case and counter case between the parties.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail on the ground of maintainability.

Having heard both sides and considering the facts and circumstances of the case, this appeal is not maintainable.

Let appellants, above named, surrender within a period of six weeks and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order and disposed of preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

spa/-

U			
---	--	--	--

