

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1278 of 2017

Arising Out of PS.Case No. -79 Year- 2015 Thana -SC/ST District- SITAMARHI

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1. Hari Narayan Singh, Son of Late Suraj Singh.
2. Indrajit Singh, Son of Hari Narayan Singh, Both Resident of Village-
Nanhikar Simardah, Police Station- Majorganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Prasad Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The appellants seek pre arrest bail in connection with

Sitamarhi (S.C./S.T.) P.S.Case No.79 of 2015 registered for

offences punishable under Sections 148, 166, 167, 201, 323, 379,

420, 406, 458, 455, 468, 469, 504, 505 & 120B of the Indian Penal

Code and section 25(1-b)a, 26, 35 & 27 of the Arms Act and

Section 3(i)(vi)(ix), 3(2)(ii)V (vii) of SC/ST Act.

Allegation against the appellants as per F.I.R. is of

assaulting the informant and other persons and allegation against

one co-accused, who is Inspector of Police, is abusing the

informant by taking his caste name.

It has been submitted on behalf of the appellants that

there is allegation that the appellants and other co-accused have

threatened the informant to withdraw the case but the appellants

are no way concern with that case and suddenly a case has been

lodged against son of the informant, as the co-accused is Inspector



of Police and I.O. of the case and the present case has been filed with a view to pressurize the appellant.

Heard learned Special P.P. also, who has opposed the prayer for bail on the ground that now cognizance has been taken, as such this application for grant of pre-arrest bail is not maintainable.

Having heard both sides and in view of the facts as stated above, let the appellants surrender before the special court and make prayer for regular bail, which will be considered by him on the ground that there is no allegation of abusing the informant by taking his caste name as the appellants are no way concern with the case about which it is alleged that the appellants have threatened to withdraw the case.

Considering submissions and materials available on the record, the learned Special Judge shall dispose of the prayer for bail of the appellants, if possible on the same day without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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