

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1381 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -CHANAN District- LAKHISARAI

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1. Anil Yadav @ Anil Prasad Yadav, son of Late Mahabir Yadav,
2. Mulayam Yadav @ Rajesh Kumar Ranjan, son of Pankaj Yadav, Both
resident of Village- Bannubagicha, Police Station- Channan, District-
Lakhisarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sagar Suman, Adv.

For the Respondent/s : Smt Usha Kumari No-1, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 At the very outset, it is submitted on behalf of the

appellant that appellant no.1 (Anil Yadav @ Anil Prasad Yadav)

has been arrested during the pendency of the appeal, as such this

appeal with regard to appellant no.1 has become infructuous.

The appellants seek pre arrest bail in connection with

Channan P.S.Case No.20 of 2017, registered for offences

punishable under Sections 147, 149, 341, 342, 323 & 379 of the

Indian Penal Code and section 3(i)(iii)/3(i)(x) of SC/ST

(Prevention of Atrocities) Act.

Submissions of the learned counsel for the appellants is

that as a matter of fact, the occurrence started with theft of crop

from the field of the accused persons and for that; several persons

were called out. Thereafter in order to save their skin, the

allegation has been made that the appellants have misbehaved with



them as well as saved their head with blade and moved them around the village .

Heard learned Special P.P. also, who has opposed the prayer for bail, stating that the offences under Section 3 of the S.C./S.T. (Prevention of Atrocities) Act is made out.

Having heard both sides and in view of allegation, this appeal is not maintainable.

Let appellant No.2 (Mulayam Yadav @ Rajesh Kumar Ranjan) surrender before the court of Special Judge and make prayer for regular bail, which will be considered by the learned Special judge on the ground of submission as made above by the learned counsel for the appellants that the occurrence took place due to theft of crops from the field of appellants and thereafter they have been falsely implicated in this case and also considering the materials available on record, he will dispose of the application for bail of the appellant without being prejudiced by the order of this Court.

As such this appeal with regard to appellant no.2 is disposed of.

(Vinod Kumar Sinha, J)

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