

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1828 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -SC/ST District- LAKHISARAI

=====

1. Kartik Yadav @ Kartik Kumar, Son of Ramjee Yadav,
2. Deepak Ram @ Ranjeet Kumar, Son of Umesh Ram,
3. Ranjeet Yadav @ Ranjeet Kumar, Son of Charpan Yadav, All are
Resident of Village- Sawan Khairma, Police Station- Halsi, District-
Lakhisarai.

.... Appellants

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Yogesh Chandra Verma, Sr.Advocate
with Md. Irshad, Advocate

For the Informant : Mr. Manoj Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-08-2017 Heard learned counsel for the appellants and learned
Special P.P.

This appeal has been filed for setting aside the order
the order dated 16.5.2017 passed in A.B.P. No. 155 of 2017 by
Additional District & Sessions Judge-I, Lakhisarai, arising out of
Lakhisarai SC/ST P.S.Case No. 07 of 2017 registered for the
offences under Sections 341, 342, 147, 379, 504, 506, 307, 323 of
the Indian Penal Code, 27 of the Arms Act and 3(1)(r)(z) (VA) of
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act and for grant of pre-arrest bail to the appellants.

Allegation against the appellants as per FIR is of



abusing and assaulting the informant.

It has been submitted on behalf of the appellants that there is delay in lodging FIR and the appellants are students.

Learned Special P.P. has opposed the prayer stating that mere perusal of FIR it appears that prima facie case under the provisions of SC/ST Act is made out against the appellants, as such, this appeal for pre-arrest bail is not maintainable.

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

Let appellants surrender and make prayer for regular bail, which will be considered by the Special court below on its own merit, without being prejudiced by this order, preferably on the same day.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

