

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2221 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -HULASGANJ District- JEHANABAD

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Awadhesh Yadav son of Bhagwat Yadav, resident of Village- Narayanpur,
P.S. Hulasganj in the district of Jehanabad.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-08-2017 Heard the parties.

The appellant seeks pre arrest bail in connection with Hulasganj P.S.Case nO.81 of 2016 registered for offences punishable under Sections 147, 148, 149, 341, 323, 504, 506 of the Indian Penal Code and section 3(iv)(v)(x) of SC/ST (Prevention of Atrocities) Act.

Allegation as per F.I.R. against the appellant is under various Section of the Indian Penal Code, however, it appears that later on cognizance has been taken against the appellant under various Sections of the S.C./S.T. (Prevention of Atrocities) Act.

Submission of the learned counsel for the appellant is that the police after investigation submitted final form, not finding the case true but the learned Magistrate differing with the opinion of the I.O. has taken cognizance under the various



Sections of the S.C./S.T. (Prevention of Atrocities) Act.

Heard learned Special P.P. also.

Having considered both sides and in view of the fact that cognizance has already been taken. As such this appeal is not maintainable.

Let the appellant surrender before the court of Special Judge within a period of four weeks and make prayer for regular bail, which will be considered by the learned Special Judge on the basis of submissions as made above especially that police has submitted final form against the appellant and he will dispose of the prayer for bail of the appellant if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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