

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2256 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -SIRDALA District- NAWADA

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1. Pramila Devi Wife of Kapil Prasad
2. Nageshwar Prasad Son of Late Muskehari Mahto
3. Basanti Devi Wife of Nageshwar Prasad @ Nageshwar Mahto All of
three residents of Village - Laund, P.S. Sirdala, District - Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Deo Raj

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 15-09-2017 Heard the parties.

The appellants seek pre-arrest bail in Sirdala P.S. Case No.32 of 2017 registered for the offences under Section 366(A)/34 of the I.P.C. and Section 3(i)(r)(s) of the SC/ST (POA) Act.

Allegation against the appellants is that when the informant going to complain about the son of the appellant no.1 that he has enticed away the daughter of the informant, they abused him by calling his caste name.

Submission of the learned counsel for the appellants is that the appellants have no role in the case and the present allegation of abusing is against appellant no.1 and enticing away the daughter of the informant is against the grandfather and grandmother of the



appellant no.1.

Heard learned Special P.P. also, who opposed the prayer for anticipatory bail on the ground of maintainability of appeal.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is not maintainable. However, the appellants are directed to surrender before the court below and pray for regular bail which will be considered by the court of learned Special Judge on the ground that they have no concern with the main allegation and without being prejudiced by this order on its own merit.

With the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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