

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2167 of 2017

Arising Out of PS.Case No. -16 Year- 2016 Thana -ROSHANGAANJ District- GAYA

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Murtaza @ Murtuza Khan, S/o Jahur Khan, R/o Barheta, P.S.-
Roushanganj, (Bankebazar), District- Gaya.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ashhar Mustafa

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-08-2017 This appeal has been filed for grant of pre-arrest bail in connection with Roushanganj (Bankebazar) P.S.Case No. 16 of 2016 registered under Sections 143, 147, 149, 152, 182, 332, 353, 307 of the Indian Penal Code and 3(i)(x) of SC/ST Act and for setting aside the impugned order dated 6.3.2017 passed by Special Judge, SC/ST Act, Gaya.

Allegation as per FIR is that the appellant and others have assaulted police personnel and damaged public property and there is allegation under the provisions of SC/ST Act against the appellant also.

Submission of learned counsel for the appellant is that other co-accused persons have been given privilege of pre-arrest bail and nothing specific has been attributed to the appellant.



Heard learned Special P.P., who has opposed the prayer for pre- arrest bail on the ground of maintainability of this appeal.

Having heard both sides and in view of above facts and circumstances, this appeal is not maintainable, rather appellant to surrender and pray for regular bail, which shall be considered on the basis of submission as made above, if possible on the same day, without being prejudiced by this order.

The appeal is disposed of with the above observation.

(Vinod Kumar Sinha, J)

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