

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2796 of 2017

Arising Out of PS.Case No. -247 Year- 2017 Thana -RANIGANJ District- ARRARIA

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1. Biren Singh @ Birendra Singh S/o Late Ugan Singh
2. Nilam Devi W/o Ramanand Singh
3. Bebi Devi @ Beby Devi W/o Manoranjan Singh
4. Samtulla Devi @ Shantula Devi W/o Biren Singh All resident of Village-Kajara, P.S. Raniganj, District Araria.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Anil Prasad Singh

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-10-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Raniganj P.S. Case No. 247 of 2017 registered for the offences punishable under Sections 147, 148, 341, 323, 353, 504 of the Indian Penal Code and Section 3(i)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 25.8.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Araria.

Allegation as per FIR is that police had gone in connection with land dispute in village Kajara and appellants and 20-25 accused persons have surrounded them and scuffle took place between them and further allegation is that appellants and



others have also abused one of police party by taking his caste name.

Submission of learned counsel for the appellants is that no such occurrence has taken place and there is case and counter case between the parties and false and concocted case has been lodged by the informant. Further submission is that appellants Nos. 2, 3 & 4 are ladies.

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

Having heard both sides and in view of the allegation, this appeal is not maintainable, rather appellants to surrender and pray for regular bail, which shall be considered by learned Special Judge on the basis of submission made above as well as materials available on record and the court will pass an appropriate order without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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