

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2197 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -BELSAND District- SITAMARHI

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1. Harishchandra Shahi, son of Late Visheshwar Shahi alias Late Singheshwar Shahi,
2. Arun Kumar Shahi, son of Sri Harishchandra Shahi,
3. Mukesh Kumar Shahi, son of Sri Harishchandra Shahi, All resident of Village- Khopi, P.S.- Runni Saidpur, Dist- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vaidehi Raman Prasad Singh
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-09-2017 Heard the parties.

The appellants are apprehending their arrest in connection with Belsand P.S.Case No.04 of 2017, registered for offences punishable under Sections 406 and 420 of the Indian Penal Code and Section 3(1)(r) of S.C. & S.T. (Prevention of Atrocities) Act.

Allegation against the appellants, as per FIR, is that they executed two sale-deeds in favour of the informant but those sale-deeds are with respect to other land and when the informant made complaints about the same, they abused him by taking caste name and also assaulted him.

Submission of the learned counsel for the appellants is that the sale-deeds were executed on 9.6.2014 and 9.8.2014 and



the present case has been lodged after two years of it. So far allegation of abuse is concerned, that is ornamental to make the case serious.

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

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants surrender within a period of four weeks before the court of Special Judge and make prayer for regular bail, which will be considered by him on the basis of submissions as stated above and he will also consider all the materials available on the record, if possible, on the same day.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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