

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2533 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -FATUHA District- PATNA

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1. Sanjeet Rai Son of Baiju Rai
2. Baccha Rai@Bachchan Rai Son of late Laxmi Rai
3. Vikash Kumar Son of Narayan Rai
4. Narayan Rai Son of Shivji Rai All 1 to 4 are resident of Village-
Sarwahanpur, P.S. Fatuha, District- Patna.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shaishav Kumar
For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-08-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Fatuha P.S.Case No. 0214 of 2017 registered under Sections 376, 511, 354, 506, 504,34 of the Indian Penal Code and 3(1)(r) of SC/ST Act, including 8 of POCSO Act and for setting aside the impugned order dated 1.8.2017 passed by Additional District and Sessions Judge-II-cum-Special Judge, SC/ST Act, Patna.

Allegation as per FIR against the appellants is of apprehending the informant and attempting to commit rape upon her.



Submission of learned counsel for the appellants is that there is general and omnibus allegation and nothing is specific against them. Further submission is that there was love affairs and father of informant was against that and that is why the false and concocted case has been lodged against the appellants.

Learned Special P.P., who has opposed the prayer for pre-arrest bail stating that this appeal is not maintainable.

Having heard both sides and in view of facts and circumstances, let appellants, above named, surrender before the court of Special Judge and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order, and disposed of preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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