

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2693 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -SC/ST District- ARRARIA

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1. Dayanand Pandit,
2. Tuntun Pandit, Both are sons of Narayan Pandit,
3. Manoj Pandit @ Manoj Kr. Pandit, Son of Janardan Pandit.
4. Sanjay Pandit, Son of Janardan Pandit.
5. Arvind @ Munna Kumar, Son of Dayanand Pandit.
6. Narayan Pandit, Son of Late Ganeshi Pandit,
7. Kailash Pandit, Son of Thakkan Pandit, All are resident of Village-
Parsa Hat, P.S.- Raniganj, District- Araria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-09-2017 Heard the parties.

The appellants seek pre-arrest bail in SC/ST P.S. Case No.43 of 2016 registered for the offences under Sections 341, 323, 307, 354(B), 379, 504, 506/34 of the I.P.C. and Section 3(i)(x) of SC/ST (POA) Act.

Allegation against the appellants is that they have abused the informant by taking his caste name and assaulting him.

Submission of the learned counsel for the appellants is that the police after investigation has not found the case against the appellants true and has not sent up the appellants for trial. The learned Special Judge on finding the case under SC/ST Act took



cognizance against the co-accused. It is further submitted that there is five days' delay in filing the appeal, which has been lodged by the appellants prior to the lodging of the present case.

Heard learned Special P.P. also, who opposed the prayer for anticipatory bail on the ground of maintainability of the appeal and fact that cognizance has been taken against the co-accused and the appellants.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants be surrendered before the court below within a period of six weeks and pray for regular bail which will be considered by the court of learned Special Judge on considering the fact that the police after investigation not found the case true, and on the basis of other materials and dispose of the same, if possible, on same day, without being prejudiced by this order.

With the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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