

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2786 of 2017

Arising Out of PS.Case No. -122 Year- 2017 Thana -ANDER District- SIWAN

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1. Rahul Sharma, Son of Kapur Chand Sharma,
2. Kapur Chand Sharma, Son of Late Indrashan Sharma,
3. Ajij Mian @ Md. Ajij @ Ajit Mian, Son of Wahid Mian,
4. Vikki Gupta @ Vicky Kumar Gupta, Son of Radhe Shyam Gupta, All
resident of Village- Sultanpur, P.S.- Andar, District- Siwan.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Krishna Kant Singh
For the Respondent/s : Mr. Sadanand Paswan

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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 Andar P.S. Case No. 122 of 2017 registered for the offences punishable under Sections 341, 323, 504, 506, 379/34 of the Indian Penal Code and Section 3(i)(x) 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, Siwan.

Allegation against the appellants is of abusing the informant by taking his caste name and also of assaulting him.

Submission of learned counsel for the appellants is that as a matter of fact a dispute arose while playing cricket match and



no such occurrence has taken place, rather to put pressure upon the appellants this false and concocted case has been lodged and the injuries are simple in nature.

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 within a period of six weeks 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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