

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2795 of 2017

Arising Out of PS.Case No. -111 Year- 2016 Thana -KAKO District- JEHANABAD

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1. Gulzari Yadav @ Ravindra Yadav @ Guljari Yadav,
2. Suvindra Yadav @ Sumind Yadav @ Sumindra Yadav Both S/o Suresh Yadav,
3. Suresh Yadav Son of Hira Yadav All R/o Village- Bhelu Bigha, P.S.- Kako, District- Jehanabad.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

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 Kako P.S. Case No. 111 of 2016 registered for the offences punishable under Sections 323, 324, 379, 308, 452/34 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 1.8.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Jehanabad.

Allegation against the appellants is of abusing and assaulting the informant.

Submission of learned counsel for the appellants is that no such occurrence has taken place and further during



investigation witnesses have not supported the prosecution case.

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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