

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2971 of 2017**

Arising Out of PS.Case No. -273 Year- 2016 Thana -JOGAPATTI District-  
WESTCHAMPARAN(BETTIAH)

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1. Pankaj Singh @ Kumar Saurabh Singh, S/o Late Uday Shankar Singh @  
Late Uday Bhan Singh, R/o Village- Machhargawan.  
2. Subhash Sah, S/o Bahadur Sah, R/o Kuarpatti, both P.S.- Jogapatti,  
District- West Champaran.

.... .... Appellants

Versus

The State of Bihar.

.... .... Respondent

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**Appearance :**

For the Appellant/s : Mr. Shailesh Kumar

For the Respondent/s : Mr. Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      17-10-2017                      Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Yogapatti P.S. Case No. 273 of 2016 registered for the offences punishable under Sections 147, 149, 323, 307, 353, 332, 333, 504, 506 of the Indian Penal Code and Sections 3(1)(x)/ 2(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 25.2.2017 passed by Additional District and Sessions Judge-I, West Champaran, Bettiah.

Allegation as per FIR is that when appellant No.2 was in custody of informant, appellant No.1 came on Bolero vehicle and forcibly released him from custody of informant and assaulted the



informant and appellant No.1 abused the informant by taking his caste name.

Submission of learned counsel for the appellants is that no such occurrence has taken place and they have falsely been implicated in this case.

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

Having heard both sides and in view of the allegation, this appeal is not maintainable.

However, let appellants surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

**(Vinod Kumar Sinha, J)**

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