

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.128 of 2017

Arising Out of PS.Case No. -23 Year- 2015 Thana -KIHIRI MORE District- PATNA

- =====
1. Rama Shish Sharma @ Rama Shish Singh S/o late Dudheshwar Sharma
@ Dudheshwar Singh, resident of village Mankudha, P.S. Khiri Mode,
District Patna, Bihar
 2. Runti Devi w/o Rama Shish Sharma @ Rama Shish Singh, resident of
village Mankudha, P.S. Khiri Mode, District Patna, Bihar

.... Appellant/s

Versus

1. The State of Bihar
2. Chinta Devi w/o Sri Bindeshwar Mochi, resident of village Mankudha,
P.S. Khiri Mode, District Patna, Bihar

.... Respondent/s

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Appearance :

For the Appellants : Mr. Binod Kumar Jha, Advocate
Mr. Bhairaw Nand Sharma, Advocate
For the State : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 20-06-2017 This appeal has been preferred by the appellants for grant of pre arrest bail in connection with Khiri Mode P.S. case No.23 of 2015 pending in the court of the Chief Judicial Magistrate, Danapur.

It has been submitted on behalf of the appellants that earlier the appellants have been granted bail by the Investigating Officer under Section 41(1) Cr.P.C. and now charge sheet has been submitted and cognizance has already been taken and, as such, they apprehend their arrest.

Heard learned Spl. P.P. also. Learned Spl. P.P. opposed the prayer for pre arrest bail on the ground that prima



facie a case is made out under the provisions of SC & ST (Prevention of Atrocities). As such, this appeal is not maintainable.

In such view of the matter, I am not inclined to grant pre arrest bail to the appellants. Let the appellants surrender before the court below and make prayer for bail on the submissions that the appellants were earlier on bail and the court below will consider all these aspects of the matter and will pass appropriate orders and if possible on the same day.

With these observations, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Narendra/-

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