

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.151 of 2017**

Arising Out of PS.Case No. -3 Year- 2016 Thana -KANGALI District-  
WESTCHAMPARAN(BETTIAH)

- =====
1. Rajesh Kumar Singh @ Rajesh Singh
  2. Ramesh Kumar Singh @ Ramesh Singh, both sons of Hari Shankar Singh
  3. Harishankar Singh, son of Late Suryadeo Singh, all residents of village Daptand Majhariya, P.S. Kangali, District West Champaran

.... .... Appellants

Versus

The State of Bihar

.... .... Respondent

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**Appearance :**

For the Appellant/s : Mr. Umesh Chandra Verma, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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

6      19-05-2017                      Heard learned counsel for the appellants and learned  
Special P.P.

This appeal has been filed for setting aside the order the order dated 17.3.2016 passed in A.B.P. No. 421 of 2016 by 1<sup>st</sup> Additional Sessions Judge, West Champaran, Bettiah and for granting anticipatory bail to the appellants in connection with Kangali P.S.Case No. 03 of 2016 registered for the offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and 3(1)(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by using derogatory remarks taking his caste name also.

It has been submitted on behalf of the appellants that



whole prosecution case is false and concocted and there is no injury report available on record and allegation with respect to Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter referred to as the 'Act') has only been added to make the case serious.

Learned Special P.P. has opposed the prayer stating that mere perusal of FIR it appears that prima facie case under Section 3(i)(x) of the Act is made out against the appellants, as such, this application for pre-arrest bail is not maintainable.

Having heard both sides and considering the facts and circumstances, this application is not maintainable, rather appellants surrender and make prayer for regular bail, which will be considered by the court below on the basis of the submission made above as well as on the basis of allegation and pass appropriate order, if possible, on the same day.

This appeal is, accordingly, disposed of.

**(Vinod Kumar Sinha, J)**

spal/-

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