

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3128 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -PALASI District- ARRARIA

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1. Geeta Devi, Wife of Umesh Mandal,'
2. Umesh Mandal @ Umesh Prasad Mandal, Son of Girijanand Mandal,
All are residents of Village- Hasanpur, Police Station- Palasi, District-
Araria.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Rana

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Special SC/ST Case No. 174 of 2017, arising out of Palasi P.S. Case No. 115 of 2017, registered for the offences punishable under Sections 341, 323, 354B, 379, 504/34 of the Indian Penal Code and 3(i)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 22.9.2017 passed by Additional District and Sessions Judge-I-Special Judge, Araria.

Allegation against the appellants is that they have taken the daughter of the informant and tried to involve her in some illicit act. Further allegation is that on protest appellants have abused the informant by taking her caste name and also



misbehaving with her.

Submission of learned counsel for the appellants is that appellant No.1 is lady and further no such occurrence has taken place. Further submission is that earlier to the present case a case has been filed by the family members of appellants against the informant and, as such, the present false and concocted case has been filed.

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

Having heard both sides and in view of the facts and circumstances, this appeal is not maintainable, rather appellants to surrender and pray for regular bail, which shall be considered on the basis of submission made above and the materials available on record and disposed of preferably on the same day, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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