

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1108 of 2016

Arising Out of PS.Case No. -35 Year- 2016 Thana -JADOPUR District- GOPALGANJ

- =====
1. Nagina Yadav @ Nagina Chaudhry, Son of Dharikshan Chaudhry
 2. Mina Devi, Wife of Nagina Yadav @ Nagina Chaudhry
 3. Chhote Lal Yadav, Son of Bhikhari Yadav
 4. Prabhu Yadav, Son of Jamuna Yadav
 5. Chandrama Choudhry @ Chandrama Yadav, Son of Bhikhari Choudhary
- All are residents of Village Yadopur Bhathwa, P.S. Yadopur, District Gopalganj.

.... Appellants

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants : Mr. Harendra Prasad, Advocate

For the State : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

9 06-09-2017 Heard learned counsel for the appellants and learned Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Jadopur P.S. Case No.35 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 307, 504 and 506 of the Indian Penal Code and 3(I)(X) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act.

Allegation in the FIR against the appellants is that they have assaulted the informant and her sons and also abused her by taking her caste name.

Submission of learned counsel for the appellants is



that there is a case and counter case between the parties and the case filed by the appellants is earlier to the filing of the present case. It is further submitted that appellants' side also received injuries in this case and nothing specific has been attributed against either of the appellants.

Learned Special P.P. has opposed the prayer for pre-arrest bail of the appellants on the ground of maintainability of the appeal.

Having heard both sides and in view of the facts and circumstances, let appellants, above named, surrender before the court of Special Judge and pray for regular bail, which shall be considered on its own merit and on the basis of submission made above, 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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