

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.10 of 2017

Arising Out of PS.Case No. -39 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

=====

1. Ranjit Mahto Son of Sugriv Mahto
2. Mukesh Sharma Son of Abhimanyu sharma Both Resident of Village-
Gaur Bujurg, Police Station- G.B. Nagar, District- Siwan.

.... Appellants

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Bijay Prakash Singh

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-11-2017 At the outset, learned counsel for the appellants has submitted that appellant No.1, Ranjit Mahto was arrested during the pendency of this appeal.

In the said circumstances, this appeal with respect to appellant No.1 is dismissed.

Heard learned counsel for the appellant Mukesh Sharma.

This appeal has been filed for grant of pre-arrest bail in connection with Maharajganj (G.B.Nagar) P.S. Case No. 39 of 2015 registered for the offences punishable under Sections 302, 120B/34 of the Indian Penal Code and 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 3.12.2016 passed by Additional Sessions Judge-I, Siwan.



Appellant is not named in the FIR and later on his name transpires during course of investigation.

Submission of learned counsel for the appellant is that except confession there is nothing against him and he has falsely been implicated in this case.

Heard learned Special P.P., who has opposed the pre-arrest bail.

Having heard both sides and no doubt it is a case under Section 302 IPC but considering the fact that appellant is not named in the FIR and no legal evidence is available on record, as such, let appellant surrender within a period of six weeks before the court of Special Judge and on his so surrendering he will be released on bail by the Special Judge to his own satisfaction.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

