

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.772 of 2017

Arising Out of PS.Case No. -187 Year- 2016 Thana -PARIHAR District- SITAMARHI

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1. Dilip Sah, Son of Chandeshwar Sah,
2. Rinki Devi @ Rinku Devi, Wife of Dilip Sah,
All resident of village - Barharwa, P.S. Majorganj, District - Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2017 The appellants seek anticipatory bail in connection with Parihar P.S. Case No.187 of 2016 registered for the offences punishable under Sections 341, 323, 379 and 504/34 of the Indian Penal Code and Section 3(i) (R) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of abusing the informant by taking his caste name and also humiliating him.

It has been submitted on behalf of the appellants that the appellants have falsely been implicated in this case and now good sense has been prevailed between the parties and they are ready to compromise the case and no case is made out under the SC & ST Act.

Heard learned Special P.P. also. He pointed out that



there is prima facie allegation in the FIR against the appellants and they were earlier on police bail.

Having heard both sides, in view of the facts and circumstances as stated above as well as there is prima facie allegation against the appellants, as such, this appeal is not maintainable, rather appellants to surrender before the learned special judge and make prayer for regular bail on the basis of submission that they were earlier on police bail and the learned special judge will consider the aforesaid aspect of the matter and dispose of their application, if possible on the same day.

Accordingly, this appeal is disposed of.

Arvind/-

(Vinod Kumar Sinha, J)

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