

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.865 of 2017

Arising Out of PS.Case No. -464 Year- 2016 Thana -MANER District- PATNA

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1. Rajdev Rai Son of Late Tulsi Rai
2. Chandder Rai, Son of Late Munsai Rai
3. Jai Govind Rai, Son of Late Munsai Rai. All Resident of Singhara, Police Station Maner, District-Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Prasad Singh
For the Respondent/s : Mr. Sri Sadanand Paswan
For the informant : Mr. Amit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2017 The appellants seek pre arrest bail in connection with Maner P.S. Case No. 464 of 2016, registered for offences punishable under Sections 341, 307, 504, 506/34 of the Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of Atrocities) Act.

Allegation as per F.I.R against the appellants that they came to the informant and assaulted him.

It has been submitted on behalf of the appellants that from perusal of the F.I.R. itself it will appear that no case under the above mentioned Section of SC/ST (Prevention of Atrocities) Act is made out against the appellants and as regards other allegations, they are only general and omnibus in nature. Further



it has also been submitted that appellants side have also received grievous injury for which they have also filed a case against the informant and only to save his skin from that case, the informant has filed the present case.

Heard learned Special P.P. as well as learned counsel for the informant, they have opposed the prayer for bail and have submitted that a case under Section 3(ii)(v) and 3(i)® is made out against the appellant in the present case.

Having heard both sides, considering the facts and circumstances of the case, this appeal is not maintainable.

Let appellants surrender before the Special Court and make prayer for regular bail and if any such application is filed, the Special Court after considering the submission of learned counsel for the appellants and also after considering the fact that no specific allegation of overt act has been attributed to these appellants, shall pass an appropriate order, without being prejudice by the order of this Court, if possible on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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