

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1290 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -SC/ST District- ARRARIA

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1. Baua Yadav @ Rakesh Kumar,
2. Manish Yadav,
3. Ramu Yadav @ Rama Yadav, All Son of Late Dayanand Yadav,
Resident of Village- Belsara, P.S.- Bhargama, District- Araria.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 A supplementary affidavit has been filed by the learned
counsel for the appellants.

The appellants seek pre arrest bail in connection with
Araria S.C./S.T. P.S.Case No.01 of 2017, registered for offences
punishable under Sections 302, 307, 354 (B), 323, 324, 379, 427,
448, 364, 504, 506, 341, 147, 148 & 149 of the Indian Penal Code
and Section 3(1)(g)(s) (v) and 3 (2)(v) of SC/ST Act.

Allegation against the appellants and other accused
persons is of assaulting the informant and it further appears that a
large number of persons has been made accused in the F.I.R.

It is submitted on behalf of the appellant that no specific
allegation has been attributed against the appellants and there is a



case and counter case between the parties and later on, one of the injured also died, as such this appeal is not maintainable.

Heard learned Special P.P. also.

Having heard both sides and in view of the fact that this appeal is not maintainable, let the appellants surrender before the special court and make prayer for regular bail, which will be considered by the Special Judge on the basis of submissions as stated above specifically that there is general and omnibus allegation against the appellant and also considering the submissions and other submissions as advanced by the appellant, he will pass appropriate order, if possible on the same day without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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