

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1715 of 2017

Arising Out of PS.Case No. -439 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Chabil Thakur, Son of Nandkeshwar Thakur,
2. Laxmi Devi, Wife of Chabil Thakur,
3. Ranjeet Thakur, Son of Late Anand Thakur,
4. Karu Thakur @ Amit Thakur, Son of Late Anand Thakur, All Resident of
Mohalla- Mayagunj, Kali Ghat, Police Station- Barari, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vikram Singh

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2017 The appellants seek pre arrest bail in connection with

Kotwali (Barari) P.S. Case No. 439 of 2016, registered for

offences punishable under Sections 147, 348, 149, 302, 201, 120B

of Indian Penal Code and section 3(1)(x)3(2) (v)of SC/ST Act.

Allegation against the appellant is of causing death of the

son of the informant.

It has been submitted on behalf of the appellants that only

false and fabricated case has been lodged against the appellants

and in fact the deceased died due to electric shock. Further there is

no application of above mentioned Section of SC/ST Act as the

informant himself belong to SC/ST category.



Heard learned Special P.P. also.

Having heard both sides, in view of the fact that a *prima facie* case under the above mentioned Section of SC/ST Act is made out against the appellants, as such, 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 as stated above and also after verifying the claim of appellants that they also belong to SC/ST category, shall pass an appropriate order, 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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