

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2821 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

=====

1. Jitendra Sah,
2. Sanjay Sah, Both sons of Gauri Sah, Both resident of Village- Desrajpur,
P.S.- Mahnar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Satya Prakash Sinha

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Mahnar P.S. Case No. 115 of 2017 registered for the offences punishable under Sections 147, 341, 323, 324, 379, 385, 504 of the Indian Penal Code and 3(1)(r), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 18.8.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur.

Allegation against the appellants is of abusing the informant by taking his caste name.

Submission of learned counsel for the appellants is that there is case and counter case between the parties and no such



occurrence has taken place and now dispute is settled between the parties outside court.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail on the ground of maintainability.

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

Let the appellants, above named, surrender and pray for bail, which shall be considered by the learned Special Judge on the basis of submission, as stated above, as well as materials available on record and he will pass appropriate order without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

