

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3123 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -SIMRA District- AURANGABAD

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1. Sudhir Kumar Singh @ Sudhir Singh, Son of Late Ugarah Singh,
2. Sudesh Singh @ Sudesh Kumar Singh, Son of Late Ugarah Singh,
Resident of Village-Bairaw, P.S.-Simra, District-Aurangabad.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Leelawati Kumari

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Simara P.S.Case No. 23 of 2017 registered for the offences punishable under Sections 341, 323, 379, 504, 506, 34 of the Indian Penal Code and 3(1)(r), 3(1)(s) & 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 20.9.2017 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad.

Allegation against the appellants is of abusing the informant.

Submission of learned counsel for the appellants is that there is delay of six days in lodging FIR and earlier to the present



case appellant No.1 has filed an informatory petition to the court of C.J.M, Aurangabad and they have falsely been implicated in this case.

Heard learned Special P.P and learned counsel for the informant. They have opposed the prayer for pre-arrest bail on the ground of maintainability.

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

Let appellants, above named, surrender within a period of six weeks and pray for regular bail, which shall be considered on the basis of materials available on record and the same will be disposed of by learned Special Judge without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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