

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2030 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -JADIA District- SUPAUL

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1. Upendra Sah,
2. Bhupendra Sah @ Mantu Sah,
3. Birendra Sah,
4. Surendra Sah, all are sons of Fatuli Sah and residents of Village-
Piluwaha, Police Station- Jadia, District- Supaul.

.... Appellants/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Arun
For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-08-2017 The appellants seeks pre arrest bail in connection with

Jadia P.S. Case No. 131 of 2016, registered for offences

punishable under Sections 341, 323, 504, 448, 506, 379 and 435 of

Indian Penal Code and section 3(i)(r) of SC/ST Act.

Allegation against the appellants is of assaulting the

informant and his family members and also set on fire the hut of

informant.

It has been submitted on behalf of the appellants that

there is case and counter case between the parties in the

background of land dispute and the appellants side have lodged a

case against the informant ten days prior to the present case i.e.

being Jadia P.S. Case No. 120 of 2016 and only in retaliation this



present false case has been filed.

Heard learned Special P.P. also.

Considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the appellants, 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 that there is case and counter case between the parties and also there is land dispute, shall pass an appropriate order, preferably 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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