

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2625 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SALAIYA District- AURANGABAD

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1. Lalan Yadav s/o Kailash Yadav
2. Mahendra Yadav s/o Late Harihar Yadav
3. Ram Iswar Yadav s/o Rampati Yadav
4. Bhagwan Yadav s/o Butai Yadav
5. Lavlesh Yadav s/o Kailash Yadav
6. Awadhesh Yadav s/o Bilash Yadav All resident of Village- Hasanpur,
P.S.- Salaiya, District- Aurangabad (Bihar).

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ranjit Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Salaiya P.S. Case No. 17 of 2017 registered for the offences punishable under Sections 147, 436, 427, 506 of the Indian Penal Code and 3(ii)(iv) and 3(ii)(va) of SC/ST Act and for setting aside the order dated 11.8.2017 passed by Special Judge, SC/ST Act, Aurangabad.

Allegation against the appellants is of setting house of the informant on fire and appellants are named in the FIR.

Submission of learned counsel for the appellants is that



informant is not an eye-witness to the occurrence and further submission is that the land belongs to the Government and villagers, including Mukhiya, Sarpanch and Panchayat Samiti gave complaint against father of informant for illegal settlement of public land and villagers want for construction of school on the public land and for this reason the informant was annoyed.

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

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

Let appellants, above named, surrender and pray for regular bail, which will be considered and disposed of by learned Special Court on the basis of submission made above as well as other materials available on record, 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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