

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2334 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -RIVILGANJ District- SARAN

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1. Sunil Singh, son of Late Kapildeo Singh, resident of Village- Sekhpura,
P.S. Rivilganj, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2017 Heard the parties.

The appellant is apprehending his arrest in Revilganj
P.S. Case No.113 of 2017 for the offence under Section 302/34 of
I.P.C., Section 27 of the Arms Act and later on Sectio 3(2 (v) of
SC/ST(Prevention of atrocities)Act was added.

Allegation is that the appellant is named in the F.I.R. and
the case is under Section 302 of I.P.C. and other Section 3 (2) and
(v) of SC/ST(POA) Act has been added later on.

Submission of the learned counsel for the appellant is
that there is nothing against the appellant to attract the provision of
Section 3 (2) (v) of SC/ST Act. He has been made accused in this
case only on suspicion as there was enmity between the parties
due to land dispute.



Heard learned Special P.P. also who opposed the prayer on the ground of maintainability.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant surrender before the learned court below within six weeks from today and pray for regular bail which will be considered by the learned Special Judge considering the fact that there is absolutely nothing against him as submitted by the learned counsel for the appellant and other material available on the record and pass an appropriate order on its own merit and, if possible, on the same day without being prejudiced by this order.

With the aforesaid observation this appeal is disposed of.

(Vinod Kumar Sinha, J)

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