

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3113 of 2017

Arising Out of PS.Case No. -249 Year- 2016 Thana -MASAURHI District- PATNA

- =====
1. Sujan Sharma, Son of Late Bhushan Singh, Resident of Village-Sona, Police Station-Naubatpur, District-Patna.
 2. Amit Kumar, Son of Sujan Sharma, Resident of Village--Sona, Police Station-Naubatpur, District-Patna.
 3. Rahul Kumar, Son of Sujan Sharma, Resident of Village-Sona, Police Station-Naubatpur, District-Patna.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Masaurhi P.S. Case No. 249 of 2016, registered for the offences punishable under Sections 448, 323, 379, 504, 354 of the Indian Penal Code and 3(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 1.8.2017 passed by Special Judge, SC/ST Act, Patna.

Allegation against the appellants is of threatening the informant to dispossess from the land and further allegation is of misbehaving with her daughter-in-law and also of assault.



Submission of learned counsel for the appellants is that no case under SC/ST Act is made out against the appellants and further case has been lodged after three months of occurrence and as a matter of fact the land belongs to the appellants and informant wants to grab the same and for that appellants have been implicated in false and concocted case.

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

Having heard both sides and in view of the facts and circumstances, this appeal is not maintainable, rather appellants to surrender and pray for regular bail, which shall be considered on the basis of submission made above and the materials available on record and disposed of preferably on the same day, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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