

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3104 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -SC/ST District- SIWAN

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1. Lakhi Chandra Prasad, son of Late Chhabu Bhagat
 2. Raju Kumar @ R.K.Saini, son of Lakhi Chandra Prasad
 3. Guddu @ Guddu Miyan, son of Sarfu Kauwal
 4. Banarasi Mahto, son of Late Baharan Mahto, all residents of village Chata, P.S. Hussainganj, District Siwan

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Dr. Shashi Shekhar Kishore

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 Siwan Sadar SC/ST P.S.Case No. 24 of 2017 registered for the offences punishable under Sections 341, 323, 504, 506 of the Indian Penal Code and 3(1)(r)(s), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 13.9.2017 passed by Additional Sessions Judge-I, Siwan.

Allegation against the appellants is of abusing the informant by taking his caste name and also not returning money taken from him.

Submission of learned counsel for the appellants is that as a matter of fact, the present case has been filed in order to



create pressure upon appellant for returning the amount and no such occurrence has taken place.

Heard learned Special P.P, who has 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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