

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2683 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -SC/ST District- GAYA

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1. Dilip Kumar, son of late SitaRam
2. Ram Pravesh Kumar, son of late SitaRam
3. Sanjeev Kumar, son of late SitaRam
4. Rajeev Kumar, son of late SitaRam
5. KumudLata Devi @ KumudLata, wife of Dilip Kumar

All resident of village-Beladih, P.S.-Cherki (Bodh Gaya), District-Gaya, Bihar

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Avinash Shekhar
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of bail in connection with SC/ST P.S. Case No. 29 of 2017, registered for the offences punishable under Sections 147, 148, 323, 325, 506, 420 and 406 of the Indian Penal Code and Section 3(1)(r) , (s), (e), (f), 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 18.07.2017 passed by the Special Judge S.C/S.T. Act, Gaya.

Allegation against the appellant is of abusing the informant by caste name and also assault.

Submission of learned counsel for the appellant is that



the case is based on the complaint petition and all the allegations are false and concocted as a matter of fact that the informant is an accused in a murder case of the mother of the appellant nos. 1 to 4 and in order to save his skin, the present case has been filed.

Heard learned Special P.P. also opposed the prayer for bail on the ground on non maintainability of pre arrest bail.

Having heard both sides and in view of the fact and circumstances, let the 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 above submission of learned counsel for the appellants, 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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