

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1303 of 2016

Arising Out of PS.Case No. -124 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR

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1. Ranjeet Kr. Singh @ Ranjeet Singh, son of Sri Rajesh Kumar Singh, resident of village Sirsa, P.S. Katihar Mufassil, District Katihar
 2. Rajesh Singh, son of Late Suryadeo Singh, resident of village Sirsa, P.S. Katihar Mufassil, District Katihar
 3. Pawan Kr. Singh @ Pawan Kumar Singh, son of Sri Ramprit Singh, resident of village Bari Bathna, P.S. Mansahi, District Katihar
 4. Md. Sagir @ Md. Sagir Alam, son of Md. Sattar, resident of village Chhoti Chilmara, P.S. Katihar Mufassil, District Katihar

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Bishwajeet Singh, Advocate
For the Informant : Mr. Jitendra Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 22-05-2017 Heard learned counsel for the appellants, learned
counsel for the informant and learned Special P.P.

This appeal has been filed for setting aside the order the order dated 22.8.2016 passed by 1st Additional Sessions Judge, Katihar, in A.B.P. No. 1147 of 2016 & A.B.P. No.1266 of 2016, arising out of Katihar Muffasil P.S.Case No. 124 of 2016 instituted for the offences under Sections 341, 342, 323, 504, 506, 354B, 467/34 of the Indian Penal Code and 3(1) (viii) (x)(xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of pre-arrest bail to the appellant.

Allegation as per FIR is that after the election of



Deputy Pramukh one of the accused persons had taken the informant and her husband on the vehicle on the pretext of leaving them in their house but he took them to his house and confined them in a room and thereafter appellant Nos. 1, 2 & 4 came there and they made derogatory remarks by taking their caste name and asked why she was not voted one particular candidate. It further appears that other co-accused had assaulted the informant making her half naked and on the point of pistol appellant No.1 told them to put their signatures on three stamp papers and there is also allegation against other appellants, appellants 1, 2 & 3 that they have taken their signature forcibly on a paper.

It has been submitted on behalf of the appellants that no offence under the provisions of SC/ST Act is made out against the appellants and informant has also not supported her version in her re-statement and other persons have not supported the case, and, as such, this case is false and concocted.

Learned Special P.P. and learned counsel for the informant have opposed the prayer for pre-arrest bail stating that this appeal is not maintainable.

Having heard both sides and considering the allegation, this appeal is not maintainable. However, considering the submission made by learned counsel for the appellants, let



appellants surrender and make prayer for regular bail, which will be considered by the special court below on the basis of the submission made above as well as on the basis of allegation and disposed of the same by passing an appropriate order, if possible, on the same day.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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