

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1070 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Guddu Choudhary son of Baiju Choudhary Resident of Karori Bazar,
Police Station - Habibpur, District - Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Najmul Hodda

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 The appellant seeks pre arrest bail in connection with

Shahkund P.S. Case No. 02 of 2017, registered for offences

punishable under Sections 302, 201/34 Indian Penal Code and

section 3(11)(5) of SC/ST Act.

Appellant is named in the F.I.R and the case is under

Section 302 and other Sections of SC/ST Act.

It has been submitted on behalf of the appellant that he

has been made accused in this case only on the basis of suspicion

and except that there is nothing against him.

Heard learned Special P.P. also.

Having heard both sides, in view of the fact that a *prima*
facie case under the above mentioned Section of SC/ST Act is

made out against the appellant, as such, this appeal is not



maintainable.

Let appellant surrender before the special court and make prayer fore regular and if any such application is filed, the special court after considering the submission of learned counsel for the appellant that save and except suspicion there is nothing against the appellant, 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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