

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2205 of 2017

Arising Out of PS.Case No. -23 Year- 2017 Thana -FESHAR District- AURANGABAD

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1. Md. Harun Ansari, Son of Md. Kalam Ansari @ Kalam Mian.
2. Shahim Ansari, Son of Basri Ansari.
3. Hashnain Ansari, Son of Basri Ansari.
4. Shamim Ansari, Son of Late Usuf Ansari.
5. Danish Ansari, Son of Late Usuf Ansari.
6. Zaffar Ansari, Son of Late Usuf Ansari.
7. Munmun Singh, Son of Sanjay Singh All are resident of Village Karanza, P.S. Phesar District Aurangabad.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-08-2017 Heard learned counsel for the appellants and learned Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail to the appellants in connection with Phesar P.S.Case No. 23 of 2017 registered for the offences under Sections 147, 148, 149, 341, 323, 325, 307 of the Indian Penal Code and 3(1)(r), 3(2)(v) of SC/ST Act and for setting aside the order dated 6.7.2017 passed by learned Additional Sessions Judge-I-cum-Special Judge, Aurangabad.

Allegation against the appellants is of assault to the informant and other members.



Submission of learned counsel for the appellants is that there is case and counter case between the parties and no specific allegation is attributed to the appellants and injuries have also been received by the defence side also.

Learned Special P.P. has opposed the prayer for pre-arrest bail on the ground of maintainability of this appeal.

Having heard both sides and in view of facts and circumstances, this appeal is not maintainable.

Let appellants surrender and pray for regular bail, which shall be considered on the basis of submission made above as well as materials available on record and disposed of by the court below without being prejudiced by this order, if possible, on the same day.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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