

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1258 of 2017

Arising Out of PS.Case No. -384 Year- 2016 Thana -PATORI District- SAMASTIPUR

- =====
1. Shiv Nath Rai Son of Bhekha Rai @ Bhekha Choudhary Resident of Village- Bhaua, P.S. Patori, District- Samastipur.
 2. Deepak Rai Son of Sheshnath Rai Resident of Village- Chakarman, P.S. Patori, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-07-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Patori P.S.Case No.384 of 2016 registered for offences punishable under Sections 147,, 341, 323, 279 and 379 of the Indian Penal Code and Section 3 (1)(xiv) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellants is of pushing the motorcycle of the informant and also trying to snatch away the bag and taking two bundle of rupees, which had fallen from his bag.

Submission of the learned counsel for the appellant is that there is case and counter case between the parties and there is no allegation of assault against him and the police during the course



of investigation has not taken out the case of snatching of money.

Heard learned Special P.P., who has opposed the prayer for anticipatory bail of the appellants on the ground that there is allegation in the F.I.R.

In such view of the matter, let the appellants surrender before the court of learned Special Judge, who will consider the prayer for bail of the appellants on the ground that story of theft was not found true in the case diary and after examining the materials on the record, he will dispose of the prayer for bail of the appellants, if possible on the same day without being prejudiced by the order of this Court.

With the aforesaid direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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