

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2370 of 2017

Arising Out of PS.Case No. -132 Year- 2017 Thana -BELAGANJ District- GAYA

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1. Rajesh Kumar, Son of Arvind Singh @ Loha Singh,
2. Vipin Kumar, Son of Salendra Singh,
3. Manoj Singh, Son of Late Suryadeo Singh,
4. Mantu Singh, Son of Ravindra Singh, all above Residents of Village-
Dariyapur, P.S.- Belaganj, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-08-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

The appellants are apprehending their arrest in Belaganj
P.S.Case No. 132 of 2017 registered under Sections 341, 323,
325, 504, 506 of the Indian Penal Code and 3(i) (x) of the SC/ST
(POA)Act, pending in the court of learned I/C Special Judge,
SC/ST,Gaya.

The allegation against the appellants is that they
kidnapped the son of the informant and also assaulted him. It is
further alleged that the appellants abused the informant and his
family members by taking their caste name.

Heard Special P.P. also, who has opposed pre arrest bail



of the appellants on the ground of maintainability as there is allegation of confinement.

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

In view of the facts of the case, let the appellants surrender in the court below within four weeks and pray for regular bail, which shall be considered and disposed of by the learned court below on the basis of materials available on the records specially there is a case and counter case between the parties, preferably on the same day.

(Vinod Kumar Sinha, J)

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