

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2289 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -SC/ST District- JEHANABAD

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1. Awadhesh Singh, Son of Late Kailash Singh,
2. Kishori Singh, Son of Late Ramdeo Singh,
3. Nawal Singh, Son of Late Ramdeo Singh,
4. Anshu Kumar, Son of Sri Mithilesh Singh,
5. Ajit Singh, Son of Late Rameshwar Singh,
6. Shashi Shekhar Saroj, Son of Radha Ballabh Singh, All are resident of Village- Kinari, Police Station- Jehanabad in the district of Jehanabad.
7. Shatrughan Singh, Son of Late Ramji Singh, Resident of Village- Kakariya, Police Station- Jehanabad in the district of Jehanabad.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate
For the Informant : Mr. Sanjay Kr. Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-09-2017 At the very outset, learned counsel for the appellants has submitted that appellant No.6, Shashi Shekhar Saroj, has been arrested during the pendency of this appeal, as such, this appeal with respect to appellant No.6 is infructuous.

The appeal in respect to appellant No.6 is dismissed as being infructuous.

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 in connection with Jehanabad SC/ST P.S.Case No. 5 of 2017 registered for the offences punishable under Sections 147, 427, 379, 504 of the Indian Penal Code and 3(2)(va) of SC/ST Act and for setting aside the order dated 24.7.2017 passed by Additional Sessions Judge-I, Jehanabad.



Allegation as per FIR against the appellants is of removing the informant from the land of temple and also abusing him by taking his caste name.

Submission of learned counsel for the appellants is that appellants were protesting for construction of house on the temple land and earlier police official has lodged a case against the appellants in which they have been granted bail and the present case has been lodged at the instance of police through the informant to harass them.

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

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

Let appellants, above named, surrender and pray for regular bail, which shall be considered by learned Special Judge on the basis of materials on record as well as submission made above and he will pass an appropriate order, without being prejudiced by this order, if possible, on the same day.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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