

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2527 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -SHRIKRISHNAPURI District- PATNA

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1. Arun Kumar Keshri Son of Brajnandan Pd. Sharma
2. Meena Keshri Wife of Arun Kumar Keshri Both Residents of Shanti Sadan, new Professor Colony, Gobarsahi Chowk, P.S. Bhagwanpur Sadar, Distt. Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-09-2017 Heard the parties.

The appellants seek *pre arrest bail* in connection with S.K.Puri P.S.Case No.94 of 2017 of 2016 registered for offences punishable under Sections 341, 323, 376, 313, 504, 328 of the Indian Penal Code and Section 3(1)(x) of SC/ST (Prevention of Atrocities) Act.

Allegation as per FIR against this appellants is that they no case is made out under Section 3 of SC/ST (Prevention of Atrocities) Act against the appellants, who happens to be father and mother of the main accused, against him there is allegation of abusing and assaulting the informant. Further submission is that so far assault is concerned, it is of general in nature, hence at best it



is an offence under Section 323 of the Indian Penal Code and allegation of abuse is inside the house.

Heard learned Special P.P. also, who has opposed the prayer for bail on the ground that the appellants have assaulted and abused the informant, as such this application is not maintainable.

Having heard both sides and the facts and circumstances, as stated above, this appeal is not maintainable.

Let the appellants surrender before the court of learned Special Judge and make prayer for regular bail and on considering the allegation as stated above, he will release the appellants in connection with S.K. Puri P.S.Case No.94 of 2017 dated 3.4.2017 to his own satisfaction.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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