

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1227 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -POTHIYA District- KISANGANJ

- =====
1. Raju Sharma Sono f Robin Sharma, Resident of Village-Lodabadi, P.S.-Pothia, District-Kishanganj.
 2. Bishu Sharma, Son of Taran Sharma, Resident of Village-Lodhanabadi, P.S.-Pothia, District-Kishanganj
 3. Dhanpat Singh Son of Mewalal Singh, Resident of Village-Pakka Molana, P.S.-Pothia, District-Kishanganj
 4. Lakhi Singh @ Lakhi Narayan Singh, Son of Madhaw Singh, Resident of Village-Birpur, P.S.-Pothia, District-Kishanganj
 5. Suman Datta, Son of Binu Datta, Resident of Village-Birpur, P.S.-Pothia, District-Kishanganj
 6. Vishnu Prasad Singh @ Vishnu Singh S/o Ishwar Singh Resident of Village-Musaldanga, P.S.-Pothia, District-Kishanganj
 7. Sukhlal Soren, Son of Ganesh Soren, Resident of Village-Chopara Mari, P.S.-Pothia, District-Kishanganj

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravi Kumar Panday

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-05-2017 The appellants seek anticipatory bail in connection with Pothia P.S. Case No. 70/16, registered for offences punishable under Sections 364, 307/34 of the Indian Penal Code and Section 3(1)(x) and 2(v) SC/ST Act.

Allegation against the appellants that they assaulted and abused the informant by calling his caste name and also kidnapped the brother of the informant and assaulted him.

It has been submitted on behalf of the appellant that they have falsely been implicated in this case and only general and omnibus allegations have been made against all the accused



persons. In fact, the dispute arose between the parties on account of contesting of election as there was candidates from both sides contesting the election. Further one of the co-accused has already been granted regular bail.

Learned Special Public Prosecutor opposed the prayer for bail.

Having heard both sides, in view of the allegations, *prima facie* case under the above mentioned Sections are made out against the appellants, as such, this appeal is not maintainable rather appellants surrender before the special court and make prayer for regular bail and if any such application is filed the special court after considering the above submissions of learned counsel for the appellants and also after considering the fact that one of the co-accused persons, has already been granted regular bail, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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