

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3038 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Ramchandra Patel,
2. Laxman Patel,
3. Brijesh Patel, All sons of Sri Paras Patel,
4. Chameli Devi wife of Paras Patel, All residents of Village- Naya Tola,
Lauriya, P.S.- Lauriya, District- West Champaran.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Lauriya P.S. Case No. 42 of 2017, registered for the offences punishable under Sections 341, 447, 323, 324, 308, 354B, 504, 506/34 of the Indian Penal Code and 3(i)(g)(r) and 2 (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 30.8.2017 passed by Additional Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah.

Allegation against the appellants is of abusing the informant by taking her caste name and trying to dispossess her



from the land.

Submission of learned counsel for the appellants is that case under Section 354B IPC has not been found true by police during investigation and further there is litigation going on between the parties from before and there is land dispute also. It has further been submitted that no such occurrence has taken place and they have falsely been implicated in this case.

Heard learned Special P.P. also, who has opposed the prayer for pre-arrest bail of the appellants on the ground of maintainability.

Having heard both sides and in view of the facts and circumstances, this appeal is not maintainable, rather appellants to surrender and pray for regular bail, which shall be considered on the basis of submission made above and the materials available on record, preferably on the same day, without being prejudiced by this order.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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