

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.656 of 2019

Arising Out of PS. Case No.-76 Year-2018 Thana- CHANDI District- Bhojpur

1. GIRI YADAV, son of Shri Ashok Singh
2. Sujeet Kumar @ Sujeet Yadav, S/o Shri Raj Kumar Singh
3. Ashok Singh @ Ashok Yadav, S/o Shri Shivkeshwar Singh
4. Ram Awadhesh Singh @ Awadhesh Yadav, S/o Shri Shivkeshwar Singh
5. Amit Kumar @ Babua Yadav, S/o Shri Ram Awadhesh Singh @ Awadhesh Yadav, all residents of village-Salempur,P.S-Chandi,,District-Bhojpur

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Awadhesh Kumar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 29.10.2018 passed by Additional Sessions Judge-I-Special Judge, Bhojpur, Ara, in A.B.P. No.1651of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Chandi P.S.Case No. 76 of 2018, registered under Sections 302/34 of the Indian Penal Code and Sections 3(i)(r)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that father of informant was taken by Raj Kumar Yadav and thereafter the informant came to know that accused appellant has beaten her father and made him senseless and his dead body was thrown at the river bank.

Submission of learned counsel for the appellants is that they have been made accused but nothing specific has been attributed against any of the



appellants and later on an informatory petition has been filed by the informant stating therein that her father died due to accidental death.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, and considering the fact that the case is under Section 302 IPC, I am not inclined to grant privilege of anticipatory bail to the appellants, rather they should surrender and make prayer for regular bail, which shall be considered on the basis of materials available on record, without being prejudiced by this order and, if possible, to be disposed of on the same day.

With the above observation, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

