

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1121 of 2019**

Arising Out of PS. Case No.-21 Year-2018 Thana- SC/ST District- Buxar \*

1. GORAKH NATH CHOUBEY @ GORAKH CHOUBEY Son of Late Vishwanath Choubey Resident of Village - Kadipur Sistrodh, P.S.- Buxar, District- Buxar. At Present Resident of Village - Gayatri Nagar Central Jail Road, Ward No. 01, P.S.- Buxar Town, District- Buxar
2. Vikash Kumar Choubey @ Vikash Choubey Son of Gorakh Nath Choubey @ Gorakh Choubey Resident of Village - Kadipur Sistrodh, P.S.- Buxar, District- Buxar. At Present Resident of Village - Gayatri Nagar Central Jail Road, Ward No. 01, P.S.- Buxar Town, District- Buxar
3. Bandana Devi Wife of Gorakh Nath Choubey @ Gorakh Choubey Resident of Village - Kadipur Sistrodh, P.S.- Buxar, District- Buxar. At Present Resident of Village - Gayatri Nagar Central Jail Road, Ward No. 01, P.S.- Buxar Town, District- Buxar

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

**Appearance :**

|                      |   |                         |
|----------------------|---|-------------------------|
| For the Appellant/s  | : | Mr.Birendra Kumar Singh |
| For the Respondent/s | : | Mr.Binay Krishna        |

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL JUDGMENT**

**Date : 29-03-2019**

The appellants seek pre arrest bail in connection with Buxar SC/ST P.S. Case No. 21/18, registered for offences punishable under Sections 341, 324, 379, 504, 506/34 of the Indian Penal Code and Section 3 (i)(r)(s) of SC/ST Act.

At the very outset, learned counsel for the informant has submitted that the appellants have already been given the benefit of Section 41(A) of the Cr.P.C. and has been released by the police.

Learned counsel for the appellants conceded the above facts and submitted that they have not misused the privilege granted



under Section 41(A) Cr.P.C.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants surrender before the court below and pray for regular bail and if any such application is filed the court below shall disposed of the same on the basis of materials available on record and also considering the fact that the appellants were earlier granted the privilege under Section 41(A) Cr.P.C., if possible on same day.

Accordingly, this appeal is disposed of.

**(Vinod Kumar Sinha, J)**

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