

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.141 of 2019

Arising Out of PS. Case No.-36 Year-2017 Thana- SC/ST District- Sheikhpura *

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1. Chandra Shekhar Yadav @ Chandeshwar Yadav, Son of Late Bhago Yadav Residents of Village- Kare, P.S. and District- Sheikhpura
 2. Baudhu Yadav Son of Late Bishni Yadav Residents of Village- Kare, P.S. and District- Sheikhpura
 3. Shiv Yadav @ Shankar Yadav Son of Late Hari Yadav Residents of Village- Kare, P.S. and District- Sheikhpura

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pankaj Kumar

For the Respondent/s : Smt Usha Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

The appellants seek pre arrest bail in connection with SC/ST Case No. 264/17, registered for offences punishable under Sections 341, 323, 504, 307/34 of the Indian Penal Code and Section 3 (2)(va) 3(R)(s) of SC/ST Act.

Allegation against the appellants is that they were getting their cattle grazed in the field of informant and when it was objected by the informant, they abused the informant by caste name.

It has been submitted on behalf of the appellants is that they have falsely been made accused in this case and no occurrence as alleged has ever taken place. Further submission



is that the appellants were given the benefit of Sections 41 of the Cr.P.C. and were released by the police on personal bond.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, I am not inclined to grant the privilege of anticipatory bail to the appellants rather this application is disposed of with direction to the appellants to surrender before the court below and pray for regular bail and if any such application is filed the court below shall consider the fact that the appellants were earlier given the benefit of Section 41 Cr.P.C. and shall pass an appropriate order, if possible on same day, without being prejudiced by the order of this Court.

Accordingly, this appeal is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

