

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4670 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- SC/ST District- Purnia

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1. Manoj Yadav @ Manoj Kumar Yadav, son of Bindeshwari Yadav @ Bindeshwari Prasad, resident of mohalla Krishnapuri Yadav Tola, Madhubani, P.S.- T.O.P.- Madhubani, District Purnea
 2. Nabal Yadav, son of Bhumi Prasad Yadav of Mohalla Shanti Nagar, P.S. K. Hat, District Purnea
 3. Pranav Singh @ Pranav Kumar Singh, son of Pramod Singh of Mohalla College Chowk, P.S. K. Hat, District Purnea
 4. Sanjay Yadav, son of Rajendra Yadav, resident of village Kadarganj, P.S. Sarai, District Purnea

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Dr. Bidhu Ranjan, Advocate
For the Respondent/s	:	Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 22.11.2018 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Purnea, in ABP No. 84 of 2018/ CIS 84 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in SC/ST P.S.Case No. 57 of 2018 registered under Sections 147, 149, 341, 323, 504 of the Indian Penal Code, and Sections 3(i)(r)(s)(g), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that informant went on information that appellants are fixing pillars in the land and on protest they abused her by taking her caste name and assaulted by means of Danda and Khanti. It appears that appellants were given benefit of Section 41 of Cr.P.C. earlier.



Submission of learned counsel for the appellants is that the land belongs to them and they have falsely been implicated in this case and they have not misused the privilege granted to them under Section 41 Cr.P.C..

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, surrender within a period of six weeks from the receipt of this order and pray for bail, which shall be considered on the basis of the fact that earlier they have been given the benefit under Section 41 Cr.P.C. and they have not misused the same and, if possible, to be disposed of on the same day.

With the above observation, the appeal is disposed of.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

