

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4098 of 2018

Arising Out of PS. Case No.-187 Year-2018 Thana- DURAULI District- Siwan

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1. Shesh Nath Dubey,
 2. Ashwini Kumar Dubey @ Ashwini Dubey @ Gulur, Both 1 and 2 are Son of Late Chuman Dubey, R/o Village Chakri, P.S. Darauli, Dist.- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwary
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-01-2019 The appellants seek pre arrest bail in connection with Darauli P.S. Case No. 187 of 2018, registered for offences punishable under Sections 341, 323, 325, 504, 307 and 34 of the Indian Penal Code and Section 3(i) (r) (s) and 3(2)(va) of SC/ST Act.

Allegation against the appellants and other accused persons is of abusing the informant by cast name and also assaulting the informant on head and hand, causing fracture injury on hand.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case in the background of land dispute and a proceeding under Section



144 Cr.P.C. was also initiated.

Learned Special P.P. and counsel for the informant Opposed the prayer for bail on the ground that there is allegation of abusing the informant by caste name and also of causing fracture injury of the hand of informant.

Having heard both sides, in view of the above facts, I am not inclined to grant the privilege of pre-arrest bail to the appellants rather they should surrender before the court below and make prayer for regular bail and the court below shall consider the same on the merit of the case, without being prejudiced by the order of this Court.

(Vinod Kumar Sinha, J)

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