

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3725 of 2018

Arising Out of PS. Case No.-395 Year-2017 Thana- NARPATGANJ District- Araria

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1. Jitendra Sah, Son of Bechan Sah,
 2. Dhanraj Yadav, Son of Laxman Yadav, Both residents of Village- Bela, Ward No. 08, P.S.- Narpatganj (Basmatia), District- Araria.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Gopal Kumar Jha
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 24.3.2018 passed by Additional Sessions Judge-I-Special Judge, Araria, in A.B.P. No. 368 of 2018 filed by the appellants by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Special (Suppl) Case No. 320 of 2017, arising out of Narpatganj (Basmatia) P.S.Case No. 395 of 2017, registered under Sections 341, 323, 379, 354B, 504, 414/34 of the Indian Penal Code and Section 3(i)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including appellant No.1 is of assault to the informant and also of trying to disrobe the wife of the informant and on hulla people assembled there and they fled away on a motorcycle and later on the motorcycle was found to be stolen one.



Submission of learned counsel for the appellants is that there is general and omnibus allegation and appellants are co-villagers and they have falsely been implicated in this case.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the appellants. However, if the appellants surrender and make prayer for regular bail, the same shall be considered on its own merit, 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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Transmission Date	

