

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5445 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- MADHUBAN District- East Champaran

CHANDRAKET SINGH Son of Late Bindeshwari Singh @ Bindeshwar
Singh Resident of Village - Delho, P.S.- Madhuban, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Singh
For the Respondent/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-12-2019 Appellant seeks pre-arrest bail in connection with Madhuban P.S.Case No. 9 of 2019 registered for the offences punishable under Sections 147, 148, 149, 384, 307, 302 of the Indian Penal Code, Sections 25(1-B)(a), 26, 27, 35 of the Arms Act and Section 3 (ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR appellants and other accused persons are named in the FIR and the case is under Section 302 IPC and Section 3(ii)(v) of SC/ST Act.

Submission of learned counsel for the appellant is that there is general and omnibus allegation and no specific allegation has been attributed against the appellant and considering the same co-accused has been granted anticipatory bail by order dated 19.6.2019 passed in Cr.Appeal(SJ) No. 1508



of 2019.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellant stating that offence under Section 3(ii)(v) of SC/ST Act is made out against the appellant, as such this appeal is not maintainable.

Having heard both sides and in the facts and circumstances, as stated above, this appeal is disposed of with direction to the appellant to surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order and, if possible, to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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