

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5583 of 2019

Arising Out of PS. Case No.-67 Year-2018 Thana- SC/ST District- Muzaffarpur

1. GAJENDRA SAH Son of Late Jai Kishan Sah Resident of Village - Goan Bhagwanpur, P.S.- Kurhani, Distt - Muzaffarpur.
2. Vijay Sah Son of Gajendra Sah Resident of Village - Goan Bhagwanpur, P.S.- Kurhani, Distt - Muzaffarpur.
3. Jugal Sah @ Jugul Sah Son of Late Ramchandra Sah Resident of Village - Goan Bhagwanpur, P.S.- Kurhani, Distt - Muzaffarpur.
4. Tribhuwan Sah Son of Late Ramchandra Sah Resident of Village - Goan Bhagwanpur, P.S.- Kurhani, Distt - Muzaffarpur.
5. Kaliya Sah @ Kali Charan Kumar Son of Tribhuwan Sah Resident of Village - Goan Bhagwanpur, P.S.- Kurhani, Distt - Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jai Prakash Verma
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-12-2019 Appellants seek pre-arrest bail in connection with SC/ST P.S. Muzaffarpur Case No. 67 of 2018 registered for the offences punishable under Sections 323, 324, 341, 379, 354B of the Indian Penal Code and Section 3 (i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR allegation against the appellants is that they assaulted the informant and also tried to disrobe his daughter-in-law and assaulted her, due to which she became naked.



Submission of learned counsel for the appellants is that whole allegation is false and concocted and the main accused Rajendra Sah has already been granted regular bail.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellants stating that there is allegation against the appellants that they misbehaved with the daughter-in-law of the informant made her naked.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant the privilege of anticipatory bail to the appellants. However, if they surrender and pray 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.

This appeal is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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