

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5159 of 2023

Arising Out of PS. Case No.-11 Year-2018 Thana- PURNEA SADAR District- Purnia

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1. TETRI DEVI @ TALO DEVI WIFE OF SHANKAR SAH RESIDENT OF VILLAGE - SINGLE TOLA KHUSKIBAG, PS-SADAR PURNIA, DIST -PURNIA
 2. SHANKAR SAH SON OF DAROGI SAH RESIDENT OF VILLAGE - SINGLE TOLA KHUSKIBAG, PS-SADAR PURNIA, DIST -PURNIA

... .. Appellant/s

Versus

1. The State of Bihar
2. VISHAL KUMAR TATMA SON OF RAJA RAM TATMA RESIDENT OF VILLAGE - SINGLE TOLA KHUSKIBAG, PS-SADAR PURNIA, DIST -PURNIA

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar Jha, Advocate
For the Resp.No.2	:	Mr. Vikram Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl.PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-07-2025 Heard Mr. Rakesh Kumar Jha, learned counsel for the appellants, Mr. Vikram Singh, learned counsel for the Respondent No.2 and Mr. Binay Krishna, learned Special Public Prosecutor for the State.

2. Learned Spl.PP for the State as well learned counsel for the Respondent No.2 submits that in view of the fact and circumstances of the case, the present appeal is not maintainable on the ground that the appellants have been given the benefit of Section 41(1) of Cr.P.C and they have no apprehension of arrest.



3. In view of the aforesaid, learned counsel for the appellants submits that the present appeal may be disposed of with liberty to the appellants that when the apprehension of arrest arise then they may approach the appropriate forum.

4. With the aforesaid liberty, this application is disposed of.

(Rajesh Kumar Verma, J)

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