

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1205 of 2017

Arising Out of PS.Case No. -98 Year- 2016 Thana -SC/ST District- SITAMARHI

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Baidyanath Gain & Ors

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Chandra

For the Respondent/s : Mr. Smt Usha Kumari No-1. Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 29-06-2017 The appellants seek pre arrest bail in connection with Sitamarhi S.C./S.T. P.S. Case No. 98 of 2016 registered for offences punishable under Sections 147, 341, 448, 323, 324, 307, 354, 504, 506 and 34 of the Indian Penal Code and Sections 3(1) (s) (w) (i) of the SC/ST Act.

Allegation against the appellants is that they came into the house of the informant and started abusive language taking their caste name and also assaulted him. There is also allegations that reason behind the occurrence of not casting vote in election.

It has been submitted on behalf of the appellants that there is delay of four days in lodging the F.I.R., and further prior to lodging to the present case, counter case has also been lodged by the appellant no. 6 and only to save his skin from the case filed by the appellant, informant has filed the present false case.

Heard learned Special P.P. also.

Having heard both sides, in view of allegation of SC/ST (POA), Act. This appeal is not maintainable.

Let the appellants surrender before the special court and make



prayer for regular bail and if any such application is filed, the special court after considering the submission of learned counsel for the appellants that no specific overt act has been attributed to him, and considering the other materials, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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