

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1313 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -MAHKAR District- GAYA

- =====
1. Fulendra Yadav, Son of Late Teknarayan Yadav,
 2. Sudhir Yadav, Son of Shivnath Yadav,
 3. Raju Yadav, Son of Siyasharan Yadav,
 4. Vinod Yadav, Son of Shivbachan Yadav,
 5. Sadhu Yadav, Son of Siyashran Yadav,
 6. Mukesh Yadav, Son of Fulendra Yadav,
 7. Sakendar Yadav, Son of Teknarayan Yadav,
 8. Shivnath Yadav, Son of Late Chhedhari Yadav,
 9. Sunil Kumar Yadav, Son of Shivnath Yadav,
 10. Rakesh Yadav, Son of Siyashran Yadav, All Resident of Village-
Dhanmahua, P.S.- Mahkar, District- Gaya.

.... Appellants

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-07-2017 The appellants seek pre arrest bail in connection with Mahkar P.S. Case No. 32 of 2017 registered offences punishable under Sections 341, 323, 337, 504/34 of the Indian Penal Code and Section 3(1)(x)(xiv) of the SC/ST (POA) Act.

Allegation against the appellants is that when the informant was bathing and villagers were also bathing there, in the meantime the appellants came and abused the informant and also assaulting by throwing bricks and stones and further allegation is that they abused the informant by taking caste name.



It has been submitted on behalf of the appellants is that this case is counter blast case, appellants have also filed the case against the informant and other persons, therefore the entire prosecution case is false and concocted one.

Learned Special PP has opposed the prayer stating that appellants abused the informant by taking his caste name, as such *prima facie* case is made out for the provisions of the SC/ST Act against the appellants and this appeal is not maintainable.

Let appellants surrender before the Special Court and make prayer for regular bail which shall consider by the Special Judge on the basis of submission made above and also on the basis of the materials available on the record, the court below will dispose of 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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