

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1219 of 2017

Arising Out of PS.Case No. -458 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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1. Bhuna Yadav, Son of Late Choudhary Yadav.
2. Prakash Yadav.
3. Kapil Yadav Sl. Nos. 2 and 3 are Sons of Bhuna Yadav. All Sl. Nos 1, 2 and 3 are Resident of Village- Magahi, P.S.- Lakshmipur, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar.
2. Sugiya Devi, Wife of Bhuneshwar Das, Resident of Village- Magahi, P.S.- Lakshmipur, District- Jamui.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arjun Pd. Keshri
For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-06-2017 The appellants seek pre arrest bail in connection with Complaint Case No. 458C/2014, registered for offences punishable under Sections 354, 468, 471, 504/34, of Indian Penal Code and section 3(x) of SC/ST Act.

Allegation against the appellants that they threatened the complainant and also abused her by taking her caste name.

It has been submitted on behalf of the appellants that they have falsely been implicated in the present case. Further the complainant is in habit of lodging such type of cases and with respect to dispute with regard to land, she has already filed two cases, in which one of the accused persons has been released on



anticipatory bail. Further the land in question belongs to the appellant and only to grab their lands, she has filed the present false case.

Heard learned Special P.P. also.

Having heard both sides, in view of the fact that a *prima facie* case under the above mentioned Section of SC/ST Act is made out against the appellant, as such, this appeal is not maintainable.

Let 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 appellant that the complainant is in habit of filing false cases, 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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