

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.773 of 2017

Arising Out of PS.Case No. -107 Year- 2016 Thana -SC/ST District- SITAMARHI

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1. Basudeo Rai, Son of Satahu Rai.
2. Rajdeo Rai, Son of Satahu Rai.
3. Ramagya Rai, Son of Lakshmi Rai.
4. Binod Rai, Son of Basudeo Rai,
5. Gajadhar Rai, Son of Nagendra Rai,
All resident of Village- Barharwa, P.S. Majorganj, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-06-2017 The appellants seek anticipatory bail in connection with Sitamarhi SC/ST P.S. Case No.107 of 2016 registered for the offences punishable under Sections 341, 323, 504, 506 and 354/34 of the Indian Penal Code and Section 3(i) (r)(g)(w)(i) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they came over the land of the informant and abused him by taking his caste name and further committed offence under Section 3(1)(r)(g) of the SC & ST Act.

It has been submitted on behalf of the appellants that the land belongs to the appellants and for that suit has been filed



by the informant in which the appellants were also made party and in order to put pressure upon the appellants present false case has been filed by the informant.

Heard learned Special P.P. also.

Having heard both sides, on perusal of the FIR there is prima facie allegation against the appellants, as such, this application is not maintainable. However, considering the submission that suit has already been filed by the informant with respect to the same land in which appellants were also made party and the land dispute is going on between the parties, let the appellants surrender in the court below and make prayer for regular bail which shall be considered on the basis of the submissions made above and the learned court below shall pass appropriate order, if possible on the same day.

With the above observation, this appeal is disposed of.

Arvind/-

(Vinod Kumar Sinha, J)

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