

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1056 of 2017

Arising Out of PS.Case No. -10 Year- 2016 Thana -SC/ST District- SAHARSA

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Tara Devi, wife of Lakshmi Pandit, resident of Bhelwa, Ward No. 10, P.S. –
Sour Bazar, District –Saharsa.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Mishra

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 23-06-2017 The appellant seeks pre arrest bail in connection with

Saharsa SC/ST P.S. Case No. 10 of 2016, registered for offences

punishable under Sections 341, 323, 504, 379, 384, 506/34 of the

Indian Penal Code and Section 3(i)(x) of the SC/ST (Prevention of

Atrocities) Act.

Allegation against the appellant as per F.I.R that she

abused the informant by calling his caste name and other accused

person thrashed her on the ground, assaulted her and also snatched

Rs. 50,000/- and a golden chain.

It has been submitted on behalf of the appellant that only

general and omnibus allegation of abusing the informant has been

levelled against the appellant. Further the allegation of thrashing

the informant on the ground and assaulting her has been made

against other accused persons. Further it has been submitted that



appellant and her husband has filed a case against the informant, in which cognizance has been taken.

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 appellant surrender before the special court and make prayer fore regular and if any such application is filed, the special court after considering the submission of learned counsel for the appellant that only general and omnibus allegation of abusing the informant has been levelled against the appellant and no allegation of assault has been attributed to the appellant, 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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