

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.712 of 2017

Arising Out of PS.Case No. -45 Year- 2016 Thana -SC ST District- VAISHALI(HAJIPUR)

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1. Manoj Giri Son of Paras Giri, Resident of Village- Rajkhand , P.S.-
Goraul, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ratan Kumar Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-06-2017 The appellant seeks pre arrest bail in connection with

SC/ST P.S. Case No. 45 of 2016, registered for offences

punishable under Sections 147, 148, 341, 323, 354, 379, 504, 427

of Indian Penal Code and section 3(1)(R), 3(i)(S) of SC/ST Act.

Allegation against the appellant that he along with other

accused persons came variously armed and assaulted and abused

the informant by calling his caste name. Further allegation that

they thrashed the informant on the ground and tried to outrage her

modesty.

It has been submitted on behalf of the appellant that there

is general and omnibus allegation against the appellant and the

present case has been lodged on the backdrop of land dispute, for

which an enquiry is going on and only to pressurize the appellant,



this case has been lodged. Further appellant has no criminal antecedent.

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 there is land dispute between the parties and also after considering other materials on record, 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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