

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1830 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -SC/ST District- LAKHISARAI

- =====
1. Sidheshwar Mahto, Son of Late Rohan Mahto,
 2. Usha Devi, W/o Sidheshwar Mahto, Both are Resident of Village- Bichhwey, P.S.- Chanan, District- Lakhisarai.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Jawed Gaffar Khan
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-08-2017 The appellants seek pre arrest bail in connection with SC/ST Chanan P.S. Case No. 06 of 2017, registered for offences punishable under Sections 341, 323, 504, 354, 506, 379 and 34 of Indian Penal Code and section 3(i)(C)(R) W(ii) 2VA of SC/ST Act.

Allegation against the appellants is of abusing the informant by her caste name and of assaulting the informant and others as well as of outraging the modesty of the daughter of the informant

It has been submitted on behalf of the appellants that they have falsely been implicated in this case due to ulterior motive. Further there is case and counter case and only to save her skin from the case filed by one of the appellants, this present false case



has been filed on the backdrop of land dispute and no such occurrence as alleged has taken place.

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 appellants, 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 above submission of learned counsel for the appellants that there is case and counter case and also land dispute, 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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