

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.339 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Harkesh Prasad, son of Late Bhukhlal Prasad,
2. Panchdeo Prasad, son of Late Rajdeo Prasad,
3. Raghav Prasad, son of Late Rajroop Prasad,
All resident of Village- Mauza Khutwania Choubey, P.s.- Kuchaikote,
District- Gopalganj.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Prasad

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 21-06-2017 The appellants seek anticipatory bail in connection with Kuchaikote P.S. Case No.256 of 2016 registered for the offences punishable under Sections 323, 324, 325, 147, 148, 149, 379 and 427 of the Indian Penal Code, Section 26 of the Arms Act and Section 3(1) (x) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they have abused the complainant and others by taking his caste name. However, it has been submitted on behalf of the appellants that there is no application of SC/ST Act against the appellants as they are also the member of scheduled tribe and in that connection they have filed a supplementary affidavit also.



Heard learned Special P.P. also, who has opposed the prayer for bail on the ground that the appellants have not filed caste certificate as directed by this Court earlier.

Having heard both sides, in view of the facts and circumstances as stated above, let the appellants surrender before the court below within a period of six weeks and move for regular bail along with the caste certificate and the court concerned after verifying the caste certificate of the appellants will pass an appropriate order without being prejudiced by the present order.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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