

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1496 of 2017

Arising Out of PS.Case No. -87 Year- 2015 Thana -SC/ST District- SITAMARHI

=====

1. Ram Vinod Pandey @ Binod Pandey, son of Late Ramashray Pandey (wrongly mentioned as Ramyash Pandey in FIR).
2. Kamod Pandey, son of Late Ramashray Pandey (wrongly mentioned as Ramyash Pandey in FIR). Both Resident of Village- Marar (wrongly mentioned as village Kansar in the FIR), PS- Belsand, District- Sitamarhi.

.... Appellants

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Informant : Mr. Devendra Kumar, Advocate
: Mr. Pramod Kumar Verma, Advocate
For the State : Mr. Sadanand Paswan, SPL P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-07-2017 The appellants seek pre-arrest bail in connection with Sitamarhi (SC/ST) P.S. Case No. 87/2015 registered for offences punishable under Sections 341, 323, 324/34 of the Indian Penal Code and Section 3 (i) (x) (xi) of the SC/ST (Prevention of Atrocities Act).

Allegation against the appellants is that on 08.12.2015 the informant was making bundles of paddy, when the appellants appeared before her and speaking filthy language. On protest the appellants caught hold her and took her to the sugar cane field and pushed her down on the earth and assaulted her with green bamboo stick. The appellants spit on her face and went away called her caste name.



It has been submitted on behalf of the appellants that appellants are innocent having committed no offence and they have falsely implicated in the case on account of the fact that the informant had cut Sugar cane crop from the field of the appellants and on protest she abused the appellant no. 1 and the appellant no. 1 had lodged a complaint in that regard before the Sarpanch Gram Kachahari.

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 a prayer for regular bail and if any such application is filed, the Special Court after considering the submission of learned counsel for the appellant that no specific over act has been attributed to him, 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.)

veena/-

U			
---	--	--	--

