

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1289 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -SC/ST District- BHOJPUR

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1. Ram Babu Sah @ Ram Babu Prasad Son of Kanhaiya Sah, Resident of
Village- Jaj Bazar Bihiya, P.S.- Bihiya, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The appellant seeks pre arrest bail in connection with

S.C./S.T.P.S.Case No.36 of 2016, registered for offences

punishable under Sections 147, 149, 341, 323, 504 & 506 Indian

Penal Code and section 3(i)(v) (x) of SC/ST (Prevention of

Atrocities) Act.

Allegation against the appellant is that the appellant

along with 40-50 persons came over the land of the informant and

tried to grab it and there is general allegation that they have

abused the informant by taking his caste name.

It has been submitted on behalf of the appellant that there

is general and omnibus allegation regarding abusing him and so

far grabbing of land is concerned, a title suite is pending between

the parties, which will appear from the F.I.R. itself.



Having heard both sides and in view of allegation, this appeal is not maintainable rather the appellant is directed to surrender within a period of four weeks and make prayer for regular bail before the learned Special Judge, which will be considered by him on the basis of submissions that there is a title suite pending with respect to the land in dispute and there is no specific allegation against this appellant rather there is general and omnibus allegation against 40-50 persons and considering submissions as advance by the appellant, he will pass appropriate order, if possible 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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