

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1670 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -RIVILGANJ District- SARAN

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1. Om Prakash Mahto Son of Late Gowardhan Mahto, resident of Village-Bahadpa, P.S. Revilganj, District- Saran, Chapra.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 The appellant seeks pre arrest bail in connection with Revilganj P.S. Case No. 103 of 2016, registered for offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellant and others that they abused the informant by taking his caste name and also tried to raise boundary around the land of informant.

It has been submitted on behalf of the appellant that there is case and counter case between the parties and no specific allegation has been attributed to the appellant and other co-accused has already been granted regular bail by this Court. Further appellant has no criminal antecedent and is ready to abide by any condition imposed on him.



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 for regular bail and if any such application is filed, the special court after considering the submission of learned counsel for the appellant that and also after considering the materials available 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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