

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1224 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -MAGADH UNIVERSITY District- GAYA

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1. Ahsan Khan @ Md. Ahsanullah Son of Md. Ferozuddin Marhoom
Resident of Village/Mohalla-Mahimapur, Sahdeokhap. Ps-Magadh
University Bodh Gaya, District-gaya

.... Appellant/s

Versus

1. The State of Bihar
2. Soni Kumari daughter of Kuldeep Manjhi. Resident of Sarbodaya Puri,
PS-Magadh University, District-Gaya

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar Bhagat

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 05-07-2017 The appellant seeks pre arrest bail in connection with

Magadh University, P.S. Case No. 14 of 2017, registered for the

offences punishable under Sections 341, 323, 324, 307, 354B,

504/34 of the Indian Penal Code and 3(i) (x) SC/ST Act.

Allegation against the appellant as per FIR is that

appellant has committed assault on the daughter of the informant

and also misbehaved with the informant.

It has been submitted on behalf of the appellant that

there is a case and counter case between the parties during the

pendency of investigation of the case. Further no specific

allegation has been made in the FIR further, submission is that it

has also been come in the case diary that daughter of the



informant was not minor rather he is major and prayed that he may be allowed pre arrest bail.

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 and if any such application is filed, the special court after considering the submission of learned counsel for the appellant that no specific overt act has been attributed to him, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of his Court.

With the above observation, this appeal is disposed of accordingly.

(Vinod Kumar Sinha, J)

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