

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2603 of 2017**

Arising Out of PS.Case No. -140 Year- 2017 Thana -RIVILGANJ District- SARAN

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Firoz Mian & Ors

.... .... Appellants/s

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellants/s : Mr. Nawnit Kumar Tiwary

For the Respondent/s : Mr. Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      10-10-2017              The appellants seek pre arrest bail in connection with Sono P.S. Case No. 56 of 2016, registered for offences punishable under Sections 341, 323, 504, 506 and 147 Indian Penal Code and section 3(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also of assaulting the informant and his family members.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and the case has lodged by the appellants side is prior to that of the informant and appellants' side have also sustained injuries and only to put pressure, this present false case has been lodged.

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 appellants, as such, this appeal is not maintainable.

Let appellants 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 appellants that there is case and counter case between the parties and injuries are also from the appellants' side, 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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