

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.501 of 2017

Arising Out of PS.Case No. -50 Year- 2016 Thana -SC/ST District- SARAN

- =====
1. Hansnath Rai son of late Shivji Rai.
 2. Shatrudhan Singh
 3. Dharmendra Singh
 4. Dharmveer Singh @ Dharmvir Singh
 5. Ranjeet Singh
- All sons of Hansnath Singh @ Hansnath Rai, all residents of village-Bhuili, PS-Ekma, District-Saran (Chapra).

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 14-07-2017 This appeal is for grant of bail in connection with SC/ST (Saran) P.S. Case No. 50 of 2016 registered for the offence(s) under section(s) 341, 323, 504, 506/34 of the Indian Penal Code and section(s) 3 (1) (v) (x) (xi) of the SC/ST (POA) Act, 1989.

Allegation against the appellants is that they have abused the informant by taking her caste name and they also assaulted her.

Submission of the learned counsel for the appellants is that no case is made out under the abovementioned sections, as the appellants were not present at the place of occurrence and



subsequently, there is delay of two days in lodging the FIR. Further submission is that a proceeding under section 144 Cr.PC. is going on between the parties and due to that the present has been lodged by the informant only with a view to put pressure on the appellants.

Heard learned Special Public Prosecutor also. Learned Special Public Prosecutor has opposed the prayer for bail of the appellants on the ground that the appellants abused the informant by taking her caste name so a *prima facie* case under the abovementioned sections is made out against them, as such, this appeal is not maintainable.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is not maintainable.

Let the appellants surrender before the court below and make prayer for regular bail, which will be considered by the Special Court and the Special Court after considering the submission, as stated above and the materials available on record, will pass an appropriate order, if possible on the same day, without being prejudiced by the order of this Court.

With the above observation/direction, this appeal is disposed of.

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(Vinod Kumar Sinha, J)

