

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2080 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -HASPURA District- AURANGABAD

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1. Nanhe Yadav, Son of Dasu Yadav, resident of Village- Gorari, P.S. Maspura, District- Aurangabad (Bihar).

.... Appellant/s

Versus

1. The State of Bihar.
2. Sarita Devi, W/o Nanhe Yadav, Resident of Village- Bakhtiyarpur, P.S. Haspura, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Santosh Chandra Bhaskar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-08-2017 The appellant seeks pre arrest bail in connection with Haspura P.S. Case No. 22 of 2017, registered for offences punishable under Sections 341, 323, 504 of Indian Penal Code and Section 3(i)(r), 3(i)(s), 3(i)(w)(I, 3(2)(va) of the SC/ST Act.

Allegation against appellant is of abusing the informant by caste name and also assaulted him by his shoes.

It has been submitted on behalf of the appellant that he is an agent of the bus and dispute arose between the parties with regard to payment of fair, for which the appellant has been made accused in the present case.

Learned counsel for the State opposed the prayer for bail on the ground of maintainability.



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 and other 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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