

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1951 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -SC/ST District- SASARAM (ROHTAS)

=====

Ashok Pandey @ Ashok Kumar Pandey Son of Late Ram Bachan Pandey,
Resident of Village- Khudhia, P.S.- Badi (Sheosagar), District- Rohtas.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sheo Jee Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, APP

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The appellant seeks pre-arrest bail in connection with
Dihari S.C. & S.T. P.S. Case No. 66 of 2016, registered under
Sections 341,323,354, 504,506/34 of the Indian Penal Code and
3-1-(r) (s) w (i) (ii) of the SC/ST Act.

Allegation against the appellant is of abusing and
assaulting the informant by taking her caste name.

It has been submitted on behalf of the appellant, is that
prior a case had been lodged against the informant and others
regarding encroachment and further no place of occurrence has
been mentioned in the F.I.R. Hence, no case made out under
Section 3 of the SC/ST Act, and the offence of abusing made in



the house of the appellant.

Heard learned S.P.P. also.

Having heard both the parties and 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 the appellant surrender before the special court within four weeks 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 shall pass an appropriate order, preferably 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)

khushbu/-

U		T	
---	--	---	--

