

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1770 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -SC/ST District- SITAMARHI

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1. Raghavendra Prasad @ Mohanjee @ Ramendra Prasad Singh Son of Ganesh Prasad, Resident of Village- Bavangawan, Police Station- Riga, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2017 The appellant seeks pre arrest bail in connection with Sitamarhi SC/ST P.S. Case No. 83 of 2016, registered for offences punishable under Sections 341, 323, 420, 354, 504/34 of the Indian Penal Code and section 3(i)(s)(w)(1) of SC/ST Act.

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

It has been submitted on behalf of the appellant that in fact that the informant was labour of the petitioner and dispute arose with regard to payment of wages, for which he has falsely been implicated in this case. Further falsity of the case will appear from the fact that there is delay of one month of lodging the F.I.R.

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 bail 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 this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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