

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2387 of 2017**

Arising Out of PS.Case No. -77 Year- 2017 Thana -BELDAUR District- KHAGARIA

- =====
1. Lalita Devi Wife of Satya Narayan Sah
  2. Bablu Sah Son of Late Bhuneshwar Sah @ Bhubneshwar Sah
  3. Saheb Sah Son of Late Siya Ram Sah All residents of Village Murasi, P.S. Beldour, District Khagaria.
  4. Ram Chandra Sah @ Ram Chandra Sahu Son of Late Bhuneshwar Sah @ Bhubneshwar Sah
  5. Bipin Sah @ Bipin Kumar Son of Ram Chandra Sah @ Ram Chandra Sahu Both residents of Village - Pir Nagra, P.S. Beldour, District - Khagaria.
  6. Kabutari Devi Wife of Mahendra Sah resident of Village - Harahari, P.S. Salkhua, District Saharsa.

.... .... Appellants/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellants/s : Mr. Mrityunjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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

3      21-09-2017      The appellants seek pre arrest bail in connection with Beldour P.S. Case No. 77 of 2017, registered for offences punishable under Sections 447, 341, 323, 337, 379, 504 and 506/34 Indian Penal Code and section 3(1) (R) (S) of SC/ST Act.

Allegation against the appellants is of abusing the informant and also assaulting him.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case due to land dispute between the parties and admittedly the land belongs to the



appellants as they are the valid basgit parcha holder and only with a view to disposes the appellants from the said land this false case has been filed. It has also been submitted that informant has been in habit of filing false cases as he has filed three case against the appellants one after another.

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 land dispute between the parties and also the submission that informant is in habit of filing false case, 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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