

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2498 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Jhagaru Singh, Son of Jhapash Singh,
2. Chandra Shekhar Kumar @ Chandrashekhar Kumar @ chandra Shekhar
Kr. Son of sri Jhagaru Singh,
3. Tara Devi W/o Sri Jhagaru Singh,
4. Gariban Singh Son of Babulal Singh @ Babu Lal Singh, All are Resident
of Village- Desari, P.S.- Desari, District- Vaishli.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Y.C. Verma, Sr. Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.
For informant : Smt. Rina Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-10-2017 The appellants seeks pre arrest bail in connection with

Desari P.S. Case No. 105 of 2017, registered for offences
punishable under Sections 341, 323, 354(B), 379, 504/34 of Indian
Penal Code and section 3(i)(r)(s), 3(ii)(v)(a) of SC/ST Act.

Allegation against the appellants is of abusing the
informant by caste name and also tried to molest the daughter of
the informant.

It has been submitted on behalf of the appellants that as a
matter of fact he has lodged a case against the informant and her
family members for kidnapping of his daughter with whom son of
informant had forcibly married and kept her in their house and



with a view to put pressure on the appellants, the present false case has been filed.

Heard learned Special P.P. as well as learned counsel for the informant, they have opposed the prayer stating that content of the F.I.R. clearly shows that a case under Section 3 of SC/ST Act is made out against the appellants.

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 above submissions of learned counsel for the appellants, 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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