

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2865 of 2017**

Arising Out of PS.Case No. -99 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

- =====
1. Bipin Singh S/o Kisan Singh
  2. Vickky Singh @ Vickku Singh S/o Kisan Singh
  3. Fulan Devi W/o Fulen Singh
  4. Lila Devi W/o Kisan Singh all resident of Village- Barhara, P.S. Choutham District- Khagaria.

.... .... Appellants/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellants/s : Mr. Pawan Kumar  
For the Respondent/s : Mr. Sri Sadanand Paswan

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

2      16-10-2017                      The appellants seek pre arrest bail in connection with Choutham P.S. Case No. 99 of 2017, registered for offences punishable under Sections 147, 341, 323, 385, 387, 504 and 506 of the Indian Penal Code and section 3(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also of assaulting her and allegation against one other co-accused is of snatching Rs. 50,000/-.

It has been submitted on behalf of the appellants that appellants have falsely been implicated in this case and no such occurrence has taken place and as there was some money of the appellants was due with the informant, they asked the informant to pay the same and in stead of returning the money, she has filed the



present false case. Further submissions is that appellant nos. 3 and 4 are ladies.

Learned Special P.P. 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 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 and also that appellant nos. 3 and 4 are ladies, 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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