

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.47 of 2017

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Ramesh Kumar Mali @ Raju Sainee S/o Late. Ramjee Mali, R/o village-
Churamanpur P.S.- Buxar (Ind.) Dist. Buxar.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamal Deo Sharma

For the Respondent/s : Mr. Binay Krishna, SPP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 23-06-2017 Heard learned counsel for the appellant and the learned
Special P.P. for the State.

The appellant seeks pre arrest bail in connection with
Buxar (Ind.) P.S. Case No. 140 of 2016 dated 29.08.2016,
registered for offences punishable under Sections 341,342,323 and
34 of the Indian Penal Code and 3 (i) (r) (v) of SC/ST Act.

Allegation against the appellant is that he has assaulted
the informant and put him in the well and threatened to kill him
and pressurized him to convince that the Scorpio belong to Amit
Sainee and he took that child away.

It has been submitted on behalf of the appellant that the
present case is a counter blast and the petitioner has no criminal
antecedent. He has been falsely implicated in this case.

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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