

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1578 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -BHAGWANGANJ District- PATNA

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1. Trigun Bind Son of late Sidheshwar Bind
2. Arvind Bind
3. Ranjit Bind Both Son of late Nagina Bind All resident of Village-
Chithaul, Chakiya, P.S. Bhagwanganj, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kishore Kumar Thakur

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-08-2017 The appellants seek pre arrest bail in connection with

Bhagwanganj P.S. Case No. 08 of 2017, registered for offences

punishable under Sections 341, 323, 325, 506 and 34 of the Indian

Penal Code and section 3(i)(x) of SC/ST Act.

Appellant against the appellants is of using derogatory
language and also abusing him by caste name.

It has been submitted by learned counsel for the
appellants that neither any date of occurrence has been mentioned
nor there is any mention of weapon used in the alleged for the
assault and only false and concocted case has been filed. Further
appellant has been made accused in this case only due to village
rivalry and even injury report is not available, which will appear



from the impugned order itself.

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 and other materials available on record, 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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