

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2656 of 2017

Arising Out of PS.Case No. -532 Year- 2016 Thana -MARHAURA District- SARAN

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1. Sikandar Rai, Son of Kashinath Rai,
2. Chandan Rai Son of Ramparekha Rai, Both are R/o Village- Gaura Vavan, P.S.- Marhowrah (Gaura O.P.), District- Saran at Chapra.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Kumar Yadav

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-10-2017 The appellants seek pre arrest bail in connection with Marhowrah P.S. Case No. 532 of 2016, registered for offences punishable under Sections 341, 323, 324, 504, 506/34 of the Indian Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name in the market and also of assaulting him.

It has been submitted on behalf of the appellant that the appellants were protesting against the sale and purchase of illegal liquor in which dispute arose between the parties and they have falsely implicated the appellants in the instant case and only general and omnibus allegation of abuse has been levelled against the appellants.

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 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 above submission 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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