

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1129 of 2017

Arising Out of PS.Case No. -88 Year- 2016 Thana -MUSRIGHARARI District- SAMASTIPUR

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Pappu Mahto & Ors

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surya Narayan Roy

For the Respondent/s : Mr. Sadanand Paswan.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 07-07-2017 The appellants seek pre arrest bail in connection with Musharigharai P.S. Case No. 88 of 2016, registered for offences punishable under Sectionss 147, 148, 149, 323, 354, 379, 307, 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 taking his caste name and assaulted him and also try to outrage the modesty of niece of the informant.

It has been submitted on behalf of the appellants that out and out false and concocted allegations have been levelled against the appellants. Further there is case and counter case between the parties. Moreover, only general and omnibus allegation of abusing the informant has been levelled.

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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