

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.722 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -KANHAULI District- SITAMARHI

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1. Pramod Kumar Son of Ram Priya Mahto

2. Munna Kumar Son of Ram Priya Mahto

3. Pawan Kumar, Son of Janak Thakur

All residents of village – Phulkaha P.S. Kanhauli, District – Sitamarhi.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Uday Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 29-06-2017 The appellants seek pre arrest bail in connection with Kanhauli P.S. Case No. 56 of 2016, registered for offences punishable under Sections 341, 323, 504, 506, 379 and 34 of Indian Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellants that they tried to misbehave with the sister in law of the informant and when he protested he was also abused by the appellants by taking his caste name and also assaulted the informant.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case as there was dispute between the parties with regard to payment of wages as such the present false case has been filed.

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 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 also after considering the 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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