

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1788 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -TANKUPPA District- GAYA

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1. Devanand Yadav, son of Ram Sewak Yadav.
2. Bittu Yadav, son of Shankar Yadav.
3. Pappu Yadav, son of Chandrika Yadav.
4. Raja Ram Singh, son of Satendra Singh.
5. Uttam Singh, son of Kishori Singh.
6. Kishori Singh, son of Prakash Singh.
7. Chandan Sao, son of Ganesh Sao.
8. Kara Singh, son of Vinod Singh.
9. Madhu Yadav, son of Bashudeo Yadav.
10. Paiyan Singh, son of Uday Singh.
11. Uday Singh, son of Prakash Singh. All are Resident of Village-Salarpur, P.S.- Tankuppa, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kunwar Narayan Jamuar
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 The appellants seek pre arrest bail in connection with Tankuppa P.S. Case No. 50 of 2017, registered for offences punishable under Sections 147, 148, 341, 323, 354(A), 504 and 506 of Indian Penal Code and section 3(1)(r)(w) of SC/ST Act.

Allegation against the appellants that they have teased the lady members of the family of the informant and on protest they abused the informant by calling his caste name and also assaulted by means of *lathi* and *danda*.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and the informant only save his skin from the case filed by the appellant's



side has filed the present false case and though there is allegation of assault against the appellants, however, no injury has been received by the informant. Further appellants have no criminal antecedents.

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 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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