

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1615 of 2017

Arising Out of PS.Case No. -564 Year- 2015 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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1. Dilip Mahto, son of Rudal Mahto, resident of Village- Gonauli, Tola-
Rampur, Police Station- Bettiah Muffasil, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar No.-7

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-07-2017 The appellant seeks pre arrest bail in connection with

Bettiah Muffasil P.S. Case No. 564 of 2015, registered for

offences punishable under Sections 341, 342,354, 427, 504/34 of

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

Allegation against the appellant is that they came to the
informant and abused her by taking her caste name and also
threatened her to vacate the land, on which she is residing.

It has been submitted on behalf of the appellant that he
has falsely been implicated in this case and in fact the land
belongs to the appellant on which the informant is residing
unauthorizedly, for which the appellant objected and due to which
the present false case has been filed by her

Learned Special P.P. objected the prayer for bail and



submitted that a *prima facie* case under the above section of SC/ST Act is made out against the appellant.

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 submission of learned counsel for the appellant that the land in question belong to appellant and he has valid paper of the same also, 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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