

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1255 of 2017

Arising Out of PS.Case No. -96 Year- 2016 Thana -PIRI BAZAR District- LAKHISARAI

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1. Raja Yadav Son of Laxman Yadav @ Laxmi Yadav, Resident of Village-
Maniyar Chak, P.S.- Piri Bazar, District- Lakhisarai.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The appellant seeks pre arrest bail in connection with Piri
Bazar P.S. Case No. 96 of 2016, registered for offences punishable
under Sections 341, 323, 504, 506 and 307/34 of Indian Penal
Code and section 3(1)(r)(s), 2(v)(a), 2(v) of SC/ST (POA) Act.

Allegation against the appellant that he has abused the
informant by taking his caste name and also assaulted him.

It has been submitted on behalf of the appellant that with
respect to the same occurrence, a case has been lodged by the
appellant and only to save his skin from that case, the present false
case has been filed by the informant. It has further been submitted
that though there is allegation of assault, however, injury report
suggests that the injuries caused to informant was simple in nature.

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 submission of learned counsel for the appellant that that there is case and counter case between the parties, shall dispose of the bail application of the appellant, 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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