

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1455 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Tuntun Sah son of Late Banti Sah
2. Chandan Sah son of Tuntun Sah
3. Reena Devi wife of Ranjit Sah
4. Lalganj Devi wife of Tuntun Sah All are residents of Village -
Pachrukha, Police Station - Banjariya, District - East Champaran.

.... Appellants

Versus

The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-07-2017 The appellants seek pre-arrest bail in connection with

Turkaulia (Banjariya) P.S. Case No. 99/2016 registered for

offences punishable under Sections 341, 323, 504, 379/34 of the

Indian Penal Code and ¾ of the Dian Act and 3(i) (x) of the SC/ST

Act.

Allegation against the appellants is that on 16.02.2016

in the night informant was sitting at her door, in the meantime

accused Tuntun Sah and other co-accused persons armed with

lathi, danda, stool came and accused Tuntun Sah abused and told

her dian nad caught her hair and thrown on the ground, then her

son Amardeo Baitha came to save her the accused Tuntun sah

abused calling caste name and assaulted to her son with lathi



danda and further her neighbour Kapildeo Sah came to save, then appellants assaulted him with fists and leg and took Rs. 50,000/- from his pocket.

It has been submitted on behalf of the appellants that they are innocent and have been falsely implicated in this case. And no such occurrence took place. The appellants have not stated the caste name.

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 a 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 no specific over act has been attributed to him, 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)

veena/-

U		T	
---	--	---	--

