

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2161 of 2017

Arising Out of PS.Case No. -60 Year- 2015 Thana -SC/ST District- SARAN

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1. Triloki Yadav, Son of Late Ram Nath Yadav,
2. Jang Bahadur Yadav, Son of Late Misri Yadav,
3. Manoj Yadav @ Manoj Kumar Yadav, son of Jang Bahadur Yadav,
4. Lal Bahadur Yadav, Son of Late Misri Yadav, All resident of Village-
Lauari, P.S.- Rasulpur, District- Saran at Chapra.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2017 The appellants seek pre arrest bail in connection with

Saran SC/ST P.S. Case No. 60 of 2015 registered offences

punishable under Sections 448, 341, 323, 504, 354/34 of the

Indian Penal Code and Sections 3(I) (x)(xi) of SC/ST (POA) Act.

Allegation against the appellants is that they abusing

the informant by taking caste name and also the allegation of

assaulting the informant.

It has been submitted on behalf of the appellants that

in the FIR itself shows that there is dispute relates to the drainage

of water from the roof of the house of the parties and there is also

land dispute between the parties. It has been further submitted

that all the allegation are general and omnibus in nature and



nothing specific allegation has been attributed against them and no any injury available on record.

Learned Special PP has opposed the prayer for bail on the basis of allegation of abusing and by taking caste name, as such *prima facie* case is made out for the provisions of the SC/ST Act against the appellants and 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 as well as in the FIR the allegations are general and omnibus and no injury available on record, shall pass 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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