

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2557 of 2017

Arising Out of PS.Case No. -237 Year- 2017 Thana -BAHERA District- DARBHANGA

=====

1. Amit Kumar Das @ Amit Das, Son of Dinesh Das
2. Sanjay Kumar Das @ Sanjay Das, Son of Dinesh Das Both are resident
of Village- Benipur, P.S.- Bahera, District- Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Iqbal Asif Niazi

For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 The appellants pre arrest bail in connection with Bahera
P.S. Case No. 237 of 2017, registered for offences punishable
under Sections 341, 323, 379/34 of the Indian Penal Code and 27
Section 3(i)(r)(s) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants that they along with
other accused persons abused the informant and also assaulted
him.

It has been submitted on behalf of the appellants that no
case under the above mentioned sections of SC/ST Act is made
out against the appellants as there is no allegation against them of
abusing the informant by his caste name rather the said allegation
is against the other co-accused person of this case. So far
allegations of assault is concerned, they are only general and



omnibus in nature.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is disposed of with direction to the Special Court to verify the nature of injury caused to the informant and if the same is found to be simple in nature, he will release the appellants on bail to his own satisfaction, otherwise he is free to pass any order as he deems fit and proper.

(Vinod Kumar Sinha, J)

sunil/-

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

