

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2559 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

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1. Sakir Prasad Soni @ Umashankar Prasad S/o Ram Milan Soni
2. Deepak Kumar Soni @ Pankaj Kumar Soni S/o Sakir Prasad Soni @
Umashankar Prasad Both resident of Village- Mahavir Colony Hathsar Ganj
(Anjarpith) P.S. Hajipur Town District- Vaishali.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Kunwar Ajit Singh

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 The appellants seek pre arrest bail in connection with

Hajipur Town P.S. Case No. 259 of 2017, registered for offences

punishable under Sections 341, 323, 379, 504, 506 of the Indian

Penal Code and Section 3(i)(x), 3(i)(s) of SC/ST Act.

Allegation against the appellants is of abusing the
informant by caste name.

It has been submitted on behalf of the appellants that
there is case and counter case between the parties and the
appellants and informant is owner and tenant respectively and
dispute arose with regard to eviction of the house, for which the
present false case has been lodged against the appellants.

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 appellants, as such, 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 that there is case and counter case between the parties and dispute is with respect to eviction of house of the appellants, 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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