

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2299 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -MANSAHI District- KATIHAR

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1. Suman Kumar Yadav, Son of Ashok Yadav, Resident of Phulgari Gorgama, P.S.- Mansahi, District- Katihar.
2. Hemant Jaishwal @ Hemant Kumar Choudhary, Son of Ramanand Jaishwal, Resident of Phulgari Gorgama, P.S. Mansahi, District- Katihar.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeet Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 The appellants seek pre arrest bail in connection with Mansahi P.S. Case No. 9 of 2017, registered for offences punishable under Sections 341, 323, 307, 379, 385, 504, 506 and 34 of the Indian Penal Code and section 3(i)(r)(s) of SC/ST Act.

Allegation against the appellants is of abusing the informant by calling his caste name and also assaulted him and demanded *rangdari*.

It has been submitted on behalf of the appellant that prior to lodging of this case by the informant, a case has been lodged by the co-accused of this case and only to put pressure on the appellants, this present false case has been filed and no occurrence as alleged has ever taken place.



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 above submissions of learned counsel for 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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