

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1423 of 2017

Arising Out of PS.Case No. -91 Year- 2016 Thana -SC/ST District- GAYA

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Sanjay Kumar Gupta @ Sanjay Gupta, son of Late Narayan Gupta @ Ram Narayan Prasad, resident of Village- Belaganj, P.S.- Belaganj, District- Gaya.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ramashish, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 The appellant seeks pre-arrest bail in connection with S.C./S.T. P.S. Case No. 91 of 2016 registered for offences punishable under sections 323, 342, 504, 427/34 of the Indian Penal Code and Section 3 (1) (f) (g) (r) (s) 2 (va) of the SC/ST Act.

Allegation against the appellant is that he damaged the boundary wall of the appellant and on objection he was called by his caste name and was also assaulted.

It has been submitted on behalf of the appellant that present case is out and out a false case and the informant in order to grab the property filed this case. There is general and omnibus allegation against the appellant and no specific overt act has been attributed to him.



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, this appeal is not maintainable.

Let appellant 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 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)

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