

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2147 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -SC/ST District- BHABHUA (KAIMUR)

- =====
1. Bindeshwari Singh Son of Late Uma Shankar Singh,
2. Manoj Singh S/o Bindeshwar Singh, Both R/o Village- Barej, P.S.-
Mohania, District- Kaimur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Prasad Singh
For the Respondent/s : Mr. Sadanand Paswan.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 2 28-07-2017 The appellants seek pre arrest bail in connection with

Bhabhua SC/ST P.S. Case No. 25 of 2017, registered for offences
punishable under Sections 447, 504, 506, 384/34 of Indian Penal
Code and section 3(i)(r) (s)(f)(g) of SC/ST Act.

Allegation against the appellants is of abusing the
informant by caste name and also demanded rangdari of Rs. 3 lac
from the informant.

It has been submitted on behalf of the appellants that out
and out false and concocted case has been filed by the informant
and no such occurrence as alleged has ever taken place. There is
land dispute between the parties and the disputed land admittedly
belong to the appellants and only with a view to put pressure on
the appellants, the informant has filed the present case. However,



only general and omnibus allegation has been levelled against the appellants.

Learned Special P.P. opposed the prayer for bail.

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 land dispute between the parties and only general and omnibus allegation has been levelled, 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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