

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.863 of 2017

Arising Out of PS.Case No. -90 Year- 2014 Thana -HATHAURI District- SAMASTIPUR

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Birju Lal Mandal @ Jay Lal Son of Raghunath Mandal Resident of Village-
Parsa, Purwari Tola, P.S.-Hathauri, District-Samastipur(Bihar).

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Kumar Mishra
For the Respondent/s : Smt Usha Kumari No-1, SPP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-06-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The appellant seeks pre arrest bail in connection with
Hathauri P.S. Case No. 90 of 2014, registered for offences
punishable under Sections 341,323,379,506/34 of the Indian Penal
Code and Section 3 (i) (x) of SC/ST Act.

Allegation against the appellant and co-accused persons
is that they assaulted the informant and abused him by taking his
caste name.

It has been submitted on behalf of the appellant that
there is general and omnibus allegation against the appellant and
no specific overt act has been attributed to him.

Having heard both sides and 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, as such, 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 overt 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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