

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1021 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -SC/ST District- JEHANABAD

=====

1. Najar Yadav @ Rajendra Yadav
2. Kara Yadav Both sons of late Nandu Yadav
3. Pintu Yadav son of late Kapil Yadav
4. Subhash Yadav son of Surendra Yadav
5. Bihar Yadav @ Bijendra Yadav @ Bihadh Yadav son of Deonandan Yadav
6. Ramjee Yadav son of Najar Yadav @ Rajendra Yadav All are residents of village Basantpur Harhar P.S. Kako, District Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Paras Nath

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-06-2017 The appellants seek pre arrest bail in connection with Jehanabad SC/ST P.S. Case No. 04 of 2017, registered for offences punishable under Sections 341, 323, 325, 354, 504/34 Indian Penal Code and section 3(2)(va) of SC/ST (POA)Act.

Allegation against the appellants that they have abused the informant by calling his caste name and also assaulted him.

It has been submitted on behalf of the appellants that allegation of abusing the informant by calling his caste name is against appellant no. 1 only and so far other appellants are concerned, only general and omnibus allegation of assault has been levelled against all of them.



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 fore regular and if any such application is filed, the special court after considering the submission of learned counsel for the appellants that only general and omnibus allegation has been levelled against them and also after considering the materials available on record, 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)

sunil/-

U			
---	--	--	--

