

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1503 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -GHOSBARI District- PATNA

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1. Ram Nandan Yadav
 2. Ram Balak Yadav both are sons of late Dular Yadav
 3. Rajiv Yadav son of Ram Balak Yadav All are residents of village - Malpur, O.P. - Samiyagarh, P.S. - Ghoswari, District - Patna.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sidhendra Narayan Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017 The appellants seek pre arrest bail in connection with Ghoswari P.S. Case No. 06 of 2017 registered offences punishable under Sections 341, 323, 325, 504/34 of the Indian Penal Code and 3(1)(r) of SC/ST Act.

Allegation against the appellants is that when daughter and nephew of the informant were going to pre-school, then appellants broken the wrist of the daughter of the informant, when her aunt tried to save, she was also assaulted on head by stick. Appellants also used to harass her, considering that she belongs to “Harijan”.

It has been submitted on behalf of the appellants is that there is land dispute between the parties and title suit is going



on. Further submission is that false and concocted case has been lodged.

Heard learned Special PP also.

Heard both sides. In view of the fact that *prima facie* case under the above mentioned section of SC/ST Act is made out against the appellants, 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 no specific over act has been attributed to them, shall pass 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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