

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1771 of 2017

Arising Out of PS.Case No. -32 Year- 2014 Thana -SC/ST District- AURANGABAD

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1. Dudheshwar Singh @ Dudhu Singh, Son of Late Kameshwar Singh,
 2. Anil Kumar Singh, Son of Late Dineshwar Singh,
 3. Bhirantu Singh @ Sanjeev Kumar Singh @ Sanjeev Singh, Son of Premjit Singh,
 4. Tuntun Singh, Son of Nawal Singh, All Resident of Village-Indrar, P.S.- Pauthu, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Tej Narayan Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-08-2017 The appellants seek pre arrest bail in connection with SC/ST Aurangabad (T) P.S. Case No. 32 of 2014, registered for offences punishable under Sections 147, 149, 448, 341, 323, 370, 354, 307, 504 and 506 of Indian Penal Code and Section 3(i)(x)/3(i)(xi)/3(i)(vi) SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also of assaulting the informant.

It has been submitted on behalf of the appellants that there is case and counter case between the parties in the background of land dispute and though there is allegation of assaulting the informant, however, the injuries were found to be



simple in nature. It has also been submitted that appeal filed by other co-accused persons of this case was disposed of vide order dated 04.03.2015 passed in Criminal Miscellaneous No. 8470 of 2015.

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 for regular bail and if any such application is filed, the special court after considering the above submission of learned counsel for the appellants., 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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