

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1941 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -SC/ST District- PATNA

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1. Vijay Kumar @ Vijay Mahto, son of Late Hari Mahto, Resident of Sanichara More Sandalpur, P.S.- Bahadurpur, District- Patna.
 2. Lalu Kumar Mehta @ Lalo Mahto, son of Late Sundar Mahto, Resident of Dargah Road, Banwari Chauk, P.S.- Sultanganj, District- Patna- 06.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Ramchandra Singh

For the Respondent/s : Smt Usha Kumari No-1

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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 Patna P.S. Case No. 08 of 2017, registered for offences punishable under Sections 447, 341, 323, 384, 379, 504, 506/34 of Indian Penal Code and Section 3(i)(r)(s), (va), SC/ST (POA) Act.

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

It has been submitted on behalf of the appellants that they have falsely been implicated in this case in the backdrop of land dispute and only general and omnibus allegation has been levelled against the appellants and admittedly the land as alleged in the F.I.R does not belong to the informant.



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 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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