

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2706 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -SC/ST District- BUXAR

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1. Dharmdeo Ahir Son of late Ram Prasad Ahir Resident of Village- Dumraon Langtu Mahadeo Mandir Ki Gali, P.S. Dumraon, District- Buxar. At Present Address:- 69 R.B.C. Road Naihatti, P.S. Naihatti, District North-24 Pargana, West Bengal.
 2. Om Prakash Yadav@ Om Prakash (Singh) Yadav Son of Sripat Yadav Resident of Village- Khalwa -Inar, P.S. Dumraon, District- Buxar.
 3. Chuam Yadav @ Suman Yadav @ Krishna Murari Singh @ Krishna Murari Yadav Son of Bachan Yadav Resident of Village- Mahantha, P.S. Nawanagar, District Buxar.
 4. Rinku Yadav @ Harendra Kumar Son of Nathuni Singh @ Nathuni Yadav Resident of Village- Near training School Dumraon, P.S. Dumraon, District- Buxar.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-10-2017 Heard the parties.

The appellants seek pre arrest bail in connection with S.C./S.T. P.S.Case No.11 of 2017 registered for offences punishable under Sections 146, 147, 148, 323, 386, 448, 441, 504, 506 of the Indian Penal Code and section 3(i)(g)®(s)(za)(zc) of SC/ST (Prevention of Atrocities) Act.

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



Submissions of the learned counsel for the appellant is that there is case and counter case between the parties and further there is land dispute and for that a false and concocted case has been lodged. It has also been submitted that the appellant no.1 is aged about 84 years.

Heard learned Special P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground of maintainability.

Let the appellant surrender before the court of learned Special Judge and make prayer for regular bail, which will be considered by the learned Special Judge on the basis of submissions that there is case and counter case between the parties and especially the fact that the appellant no.1 is aged about 84 years and considering these facts, he will pass appropriate order, if possible 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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