

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2600 of 2017

Arising Out of PS.Case No. -101 Year- 2017 Thana -UJIYARPUR District- SAMASTIPUR

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Madan Pandit & Ors

.... Appellants/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-09-2017 The appellants seek pre arrest bail in connection with Ujarpur P.S. Case No. 101 of 2017, registered for offences punishable under Sections 341, 323, 324, 307, 354(A), 504, 506, 379 and 34 of the Indian Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellants is of assault to the informant and also tried to outrage the modesty of the informant.

It has been submitted on behalf of the appellants that earlier to lodging of the present case, a case has been lodged by one of the appellants against the informant and others for outraging the modesty of his daughter and only to save the skin from the case filed by the appellant, the present false case has been filed. It has further been submitted that appellant side has also sustained injuries.



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 that earlier to filing of the present case, a case has been filed by the appellants against informant and others and also after considering other 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)

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