

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2910 of 2017

Arising Out of PS.Case No. -156 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Nand Singh @ Nand Kumar Singh son of Gunakar Singh
2. Gunakar Singh son of Late Budh Ram Singh Both are residents of
Village Uchhka Gawn, P.S. Kuchaikote, District Gopalganj.

.... Appellants/s

Versus

1. The State of Bihar.
2. Lal Muni Kunwar wife of Late Sita Ram Sah (Gordh) Resident of Village
- Uchhkagawn, P.S. Kuchaikote, District Gopalganj.

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Pankaj Kumar Dubey
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 The appellants seek pre arrest bail in connection with

Kuchaikote P.S. Case No. 156 of 2017, registered for offences

punishable under Sections 341, 323, 427, 504/34 of Indian Penal

Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellants is of abusing the
informant by caste and name and also of assaulting him and also
threatened the informant to move out from the village.

It has been submitted on behalf of the appellants that
there is land dispute between the parties as such the present false
and fabricated case has been lodged against the appellants and no
such occurrence has ever taken place. Further appellant no. 2 is an
old person aged about 67 years.



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 that there is land dispute between the parties and also appellant no. 2 is an old person, 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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