

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2239 of 2017

Arising Out of PS.Case No. -82 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Awadhesh Prasad Son of Boka Prasad, R/o Village- Jharokhar, P.S.-
Jharokhar, District- East Champaran.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-08-2017 The appellant seeks pre arrest bail in connection with
Ghorasahan P.S. Case No. 82 of 2017, registered for offences
punishable under Sections 341, 323, 307, 504 of the Indian Penal
Code and section 3(i)(x) of SC/ST (POA) Act.

Allegation against the appellant is of abusing the
informant by caste name and also assaulted him.

It has been submitted on behalf of the appellant that he
has falsely been implicated in this case and only general and
omnibus allegation has been levelled against the appellant.

Heard learned Special P.P. opposed the prayer for bail on
the ground of maintainability.

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 appellant, as such, this appeal is not maintainable.

Let appellant 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 appellant that only general and omnibus allegation has been made and also after considering other materials available on record, shall pass an appropriate order, if possible, on 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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