

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2643 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SC ST District- VAISHALI(HAJIPUR)

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1. Lal Babu Rai, Son of Late Ram Prit Rai,
2. Vicky Rai @ Vicky Kumar @ Vicky Kr. Rai Son of Lal Babu Rai,
3. Ankit Rai Son of Raj Kumar Rai,
4. Dharmendra Sahni Son of Deothan Sahni,
5. Anil Rai Son of Late Mahesh Rai,
6. Pinku Rai Son of Madan Rai,
7. Akash Rai @ Akash Kumar @ Akash Kr. Rai Son of Madan Rai,
8. Ram Ekbal Rai Son of Late Shiv Prasad Rai,
9. Bittu Rai Son of Ram Ekbal Rai,
10. Suresh Rai Son of Ram Ekbal Rai,
11. Ranjan Kumar Rai Son of Suresh Prasad Rai,
12. Binod Rai Son of Late Shabha Rai,
13. Pappu Rai Son of Late Ram Prit Rai All R/o Village- Akilabad, Post-Gadhai Sarai, P.S.- Hajipur Sadar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jitendra Narain Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-10-2017

Heard the parties.

The appellants seek *pre arrest bail* in connection with SC/ST Hajipur P.S.Case No.17 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 348, 323, 325, 504, 379 and 354 of the Indian Penal Code and Section 3(i)(x) , 3(1)(s), 3 (1)(g), 3(w)(i) and 3(2)(v)(a)of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants, as per FIR is that they



have abused the informant by caste name and also assaulted him and further tried to outrage the modesties of the ladies memberd of the informant. Further from the FIR it appears that they are trying to dispossess the informant from the land firstly by keeping small statue to *Bajrangbali* and later on a big statue was kept there in order to grab the land.

Submission of the learned counsel for the appellants is that there is general and omnibus allegation against them and no specific allegation has been attributed against them.

Heard learned Special P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is allegation against the appellants to dispossess the informant from the land and also abusing him as well as trying to outrage the modesty of the ladies members of the informant, as such this appeal is not maintainable. It has also been submitted that when the informant went for measurement of the land they got Amin and other officials fled away from the place.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is not maintainable.

Let the appellants 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 as advanced by the parties.

Considering the same, the learned Special Judge will dispose of the prayer for bail of the appellants, 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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