

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2408 of 2017

Arising Out of PS.Case No. -43 Year- 2015 Thana -SC/ST District- SARAN

=====

1. Arun Singh @ Arun Kr. Singh , son of late Baij Nath Singh.
2. Mani Singh @ Mani Kr., Son of Raju Singh, Both resident of Village-
Badha Nautan, P.S.- Marhaurah, District- Saran at Chapra (Bihar).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Manoj Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 43 of 2015, registered for offences punishable under Sections 147, 148, 149, 341, 323, 379, 504 and 34 of the Indian Penal Code and section 3(i)(ii)(x) of SC/ST (POA) Act.

Allegation against the appellants is of abusing the informant by caste name and also assaulting him and further allegation against one of the co-accused that he urinated on the informant.

It has been submitted on behalf of the appellants that appellant no. 1, has been made accused in this case as he happens to be father of one co-accused of this case and against other appellant only general and omnibus allegation has been made and



no specific allegation has been made against the appellants.

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 well as considering the nature of allegation, 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 no specific allegation has been made against the appellants, 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)

sunil/-

U		T	
---	--	---	--

