

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1390 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana -BARAULI District- GOPALGANJ

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1. Hari Prasad, Son of Late Bhagrashan Prasad.
2. Ashok Prasad, Son of Hari Prasad.
3. Santosh Prasad, Son of Hari Prasad.
4. Sunil Prasad, Son of Hari Prasad.
5. Manturani Devi, Wife of Hari Prasad, All resident of village- Batardeh, P.S. Barauli, District- Gopalganj.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Anisur Rahman, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-07-2017 The appellants seek pre arrest bail in connection with Barauli P.S. Case No. 185 of 2016 registered for offences punishable under Sections 341, 323, 324, 504/34 of the Indian Penal Code and under Section 3 (1)(x) SC/ST Act.

Allegation against the appellant no. 1 is of abusing the informant by taking caste name and against the appellant nos. 2, 3 & 4 is of assault. Appellant No. 5 is alleged to have snatched golden top and Mangal Surta total costing Rs. 5000/- .

Learned counsel for the appellants submitted that there is general and omnibus allegation against them and nothing specific have been mentioned and they have falsely been



implicated in this case.

Learned Special P.P. has opposed the prayer for pre-arrest bail on the ground that there are allegation against all the accused persons of the offences under Section 3(1)(x) of the SC/ST Act and also under the penal code and as such they are not entitled for anticipatory bail.

Having heard both sides, in view of the allegation I am not inclined to grant anticipatory bail to these appellants.

Let appellants surrender before the Special Court and make prayer for regular bail which shall be considered on the ground that allegation is general and omnibus in nature and appellant no. 5 is a lady and without being prejudiced by this order, preferably on the same day.

With the above observation, this appeal is disposed of

(Vinod Kumar Sinha, J)

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