

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1865 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

=====

1. Manoj Rai son of Late Hari Narain Rai
2. Abhinay Kumar @ Kalu son of Manoj Rai Both are residents of Village -
Koari Buzurg, P.S. - Ganga Bridge, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Awadhesh Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-07-2017 The appellants seek pre arrest bail in connection with Industrial Area Hajipur P.S. Case No. 51 of 2017, registered for offences punishable under Sections 341, 323, 354, 379, 387 and 504 of the Indian Penal Code and section 3(c), 3(i)(c)(x)(xi) of SC/ST Act.

Allegation against the appellants that they entered into the house of the informant and demanded *rangdari* of Rs. 5,00,000/- and on protest by the informant, they assaulted the informant and his other family members and abused them by their caste name and also snatched away Rs. 30,000/- and ear ring.

It has been submitted on behalf of the appellants that in fact the appellants and informant were engaged in the contract business since last ten years and after completion of allotted work, appellants have gone to the informant for settlement of



share between the parties, where some dispute arose and scuffle took place between the parties, for which this false case has been filed by the informant and the allegation under the above Section of SC/ST Act, has been levelled only to make the offence graver. Further there is case and counter case between the parties.

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 submission of learned counsel for 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	
---	--	---	--

