

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.793 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -SC/ST District- NAWADA

- =====
1. Madan Rabani, son of Late banshi Rabani.
 2. Lakshman Rabani, Son of Madan Rabani.
- Both residents of village- Dirmobara, P.S. Roh, District- Nawada.

.... Appellants

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Birendra Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017 The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 01 of 2017 registered offences punishable under Sections 341, 323, 504, 354, 452, 34 of the Indian Penal Code and Sections 3(i)(s), w-(1) 3(2)(va) of SC/ST Act.

Allegation against the appellants is that they abusing the informant and her son by entering into the house of the informant. The appellant Lakshman Rabani came with pistol and also abusing.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and they have been falsely been implicated in this case.

Learned Special PP has opposed the prayer for bail on the basis of allegation of abusing and by taking caste name, as



such *prima facie* case is made out for the provisions of the SC/ST Act against the appellants and 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 over act has been attributed to them, shall pass 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)

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