

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1966 of 2017

Arising Out of PS.Case No. -122 Year- 2016 Thana -BASOPATTI District- MADHUBANI

- =====
1. Manoj Kumar Mahto, son of Niranjana Mahto, null
 2. Binod Kumar Mahto, son of Niranjana Mahto,
 3. Amarjit Kumar Mahto, son of Niranjana Mahto,
 4. Niranjana Mahto, son of Ram Bharosh Mahto, All residents of Village-
Malmal Uttritola Balua, Police Station- Kaluahi, District- Madhubani.

.... Appellants/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Shailendra Kumar Jha
For the Respondent/s : Mr. Sri Zeyaul Hoda
For the informant : Mr. Gagan Dev Yadav

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-08-2017 The appellants seeks pre arrest bail in connection with

Basopatti P.S. Case No. 122 of 2016, registered for offences

punishable under Sections 341, 323, 354, 504 and 506 of Indian

Penal Code and section 3(i)(x) of SC/ST Act.

Allegation against the appellants is of abusing the

informant by caste name.

It has been submitted on behalf of the appellants that only

general and omnibus allegation has been levelled against the

appellants and appellant no. 4 is aged about 84 years.

Heard learned Special P.P. as well as learned counsel for

the informant, they have opposed the prayer for pre arrest bail.



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 above submission of learned counsel for the appellants and also that appellant no. 4 is an old person, shall pass an appropriate order, if possible on 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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