

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2778 of 2017

Arising Out of P.S.Case No. -67 Year- 2016 Thana -SC/ST District- ARRARIA

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1. Bineshwar Mandal @ Bindeshwari Prasad Mandal @ Bindeshwari Mandal
2. Bhimlal Mandal Both Sons of Late Jamedar Mandal
3. Shailendra Mandal @ Satyendra Mandal @ Shailendra Kumar Son of Bhimlal Mandal
4. Ravindra Mandal Son of Bineshwar Mandal @ Bindeshwari Prasad Mandal All residents of Village - Simarbani, P.S. - Bhargama, District - Araria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sarangdhar Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard the parties.

This appeal is for grant of anticipatory bail in connection with SC/ST P.S.Case No.67 of 2016 arising out of Spcl.Case No.74/17 registered for the offences punishable under Sections 447, 323, 429, 504, 506/34, of the Indian Penal Code and Section 3 (i), (2) 3(S) of SC/ST Act.

Allegation against the appellants is of abusing the informant by calling his caste name.

Submission of the learned counsel for the appellants is that there is land dispute in between the parties from before and earlier



a case was lodged by the appellants against the informant and others which is Annexure-4 to this petition. The present case has been filed in order to grab the land of the appellants. No such occurrence took place.

Heard learned Spl.P.P. also and who opposed the prayer on the ground of allegation of assaulting and abusing the informant by the appellants.

Having heard both sides and in view of the facts and circumstances, as stated above, the appellants are directed to surrender before the court below and pray for regular bail and the learned trial Court shall consider the same on its own merit, if possible, on the same day without being prejudiced by this order.

With the aforesaid observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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