

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1241 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -BAHERI District- DARBHANGA

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1. Krishna Kumar Singh, son of Chandra Shekhar Singh,
2. Munna Kumar Singh, son of Sri Krishna Kumar Singh, Both resident of
Village- Harhachcha, P.S.- Baheri, Distt- Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ratan Kumar Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 31-07-2017 The appellants seek pre arrest bail in connection with

Baheri P.S. Case No. 139 of 2016, registered for offences
punishable under Sections 341, 323, 504, 506, 307, 325, 448, 354,
379 and 279/34 of the Indian Penal Code and section 3(i)(s) of
SC/ST (POA) Act.

Allegation against the appellants is of abusing the
informant by caste name and also assaulting him.

It has been submitted on behalf of the appellants that the
informant is in habit of filing false cases as he has filed fourteen
cases against the father of one of the appellants. Further no
specific allegation has been levelled against the appellants.

Heard learned Special P.P. also. He has opposed the
prayer and submitted that in this case now charge-sheet has been



filed and, therefore, this appeal is not maintainable.

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 submissions 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)

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