

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1709 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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Umesh Kumar Son of Bhikhari Singh (Headmaster, Govt. Middle Scholl, Bijbani), Residnet of Village- Senduari, P.S.- Hajipur Sadar, District- Vaishali.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Krishna Chandra, Adv.

For the Respondent/s : Sri Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 This appeal is for grant of pre-arrest bail in connection with Ghorasahan (Jitna) P.S. Case No. 64 of 2017 registered for the offence under section(s) 341, 323, 504, 506, 509/34 of the Indian Penal Code and section(s) 3 (i) (r) (w) of the SC/ST (POA) Act.

Submission of the learned counsel for the appellant is that the appellant has falsely been implicated in this case and there is delay in lodging the FIR and as a matter of fact, the husband of the informant used to threaten him and for that, he filed written complaint before the District Programme Officer and the Block Education Officer also, due to that the informant has lodged a false case against the appellant making all sorts of allegations just



to pressurize the appellant.

Heard learned Special Public Prosecutor and learned counsel for the informant.

It has been submitted by the learned counsel for the informant that the appellant used to harass the informant and due to which, her husband went to the appellant, but he misbehaved with him and also abused by taking his caste name so a *prima facie* case under the abovementioned sections is made out against the appellant, as such, this appeal is not maintainable.

Having heard both sides and in view of the allegation made in the FIR, it is not a fit case for grant of pre-arrest bail, as such, this appeal is not maintainable.

Let the appellant surrender before the court below and make prayer for regular bail, which will be considered by the Special Court and the Special Court after considering the submission as stated above and the materials available on record, will pass an appropriate order, if possible on the same day, without being prejudiced by the order of this Court.

With the above observation/direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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