

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1885 of 2017

Arising Out of PS.Case No. -265 Year- 2016 Thana -ALAMGANJ District- PATNA

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1. Abhay Ranjan, S/o Late Ram Babu Gupta, Resident of Village-Shadikpur, P.S.-Alamganj, District-Patna.

.... Appellant/s

Versus

1. The State of Bihar
2. Sri Ajay Kumar, S/o Sri Raj Kumar Das, Resident of Mohalla-Barkat Kha Ka Akhara, Mogalpura, P.S.-Khajekala, District-Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-08-2017 The appellant seeks pre arrest bail in connection with Special Case No. 189 of 2016 arising out of Alamganj P.S. Case No. 265 of 2016, registered for offences punishable under Sections 406 and 420 of Indian Penal Code and section 3(x) of SC/ST Act.

Allegation against the appellant that on the assurance that he will make the informant partner in his company has obtained Rs. 1,00,000/- from him, however, he did not make him partner and when the informant went to demand his money back, appellant and others abused him by his caste name.

It has been submitted on behalf of the appellant that only general and omnibus allegation has been levelled against him. It has also been submitted that now the appellant is ready to pay the



alleged amount to the informant.

Heard learned Special P.P. also as well as learned counsel for the informant, they have opposed the prayer for 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 appellant, as such, this appeal is not maintainable.

Let appellant 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 appellant that he is ready to pay the alleged amount of Rs. 1,00,000/- by a Bank Draft drawn in favour of the informant, 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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