

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1902 of 2017

Arising Out of PS.Case No. -44 Year- 2014 Thana -SC/ST District- ARRARIA

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1. Mansoor Alam @ Md. Mansoor Alam Son of Late Kalimuddin the then Block Education Officer, Palasi, P.S. Palasi, District Araria. resident of Masjid Tola, Rambag P.S. Sadar Purnia, District Purnia

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramakant Sharma, Sr. Adv.
Mr. Anil Prasad Singh, Adv.

For the Respondent/s : Smt Usha Kumari No-1, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-08-2017 The appellant seeks pre arrest bail in connection with Araria SC/ST P.S. Case No. 44 of 2014, registered for offences punishable under Sections 341, 323, 504, 353 and 384 Indian Penal Code and section 3(i)(x)(xiv) of SC/ST Act.

Allegation against the appellant is of abusing the informant by caste name.

It has been submitted on behalf of the appellant that appellant being Block Education Officer has complained about the informant, how is a teacher and only due to which the present false case has been filed and the above mentioned Sections of SC/ST Act has been added only to make the offence serious. It has also been submitted that earlier the appellant was on police bail.



Heard learned Special P.P. also.

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 above submission of learned counsel for the appellant and also that appellant earlier was on police bail, 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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