

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2993 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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Randhir Kumar, son of Shri Ajay Yadav, resident of Ward No. 09, Near
Shiv Mandir, P.S. & P.O.- Piaparia, District- Lakhisarai, Bihar.

.... Appellant/s

Versus

1. The State of Bihar
2. Pinki Kumari, Daughter of Nageshwar Das, Resident of Village –
Chewada, P.O.+P.S.- Chewada, District- Sheikhpura.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhinav Srivastava

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-12-2017 Heard the learned counsel for the appellant, the
informant and the State.

The appellant, Randhir Kumar has challenged the
order dated 19.06.2017 passed by the learned 1st Additional
Sessions Judge, Sheikhpura in connection with Complaint Case
No. 116C of 2016(S.C./S.T. No. 184 of 2017) whereby the prayer
for being released on anticipatory bail has been rejected.

The appellant along with others is said to have
referred to the informant/complainant as a person of scheduled
caste community and the only intention was to malign her.

Learned counsel for the appellant has submitted that
an absolutely false case has been lodged by the informant. He has
further submitted that the appellant also is working in the same



capacity as that of the informant and is not in any way concerned with the working of the informant. One of the accused persons namely Ruchi Sinha has been directed by this Court to surrender before the Special court and it has been observed that in case she surrenders, taking into account the fact that she is a lady, the court below shall pass order preferably on the same day without being prejudiced by the fact that her appeal was not entertained.

Considering the nature of accusation against the appellant, this Court deems it only proper to observe that in case the appellant approaches the court below and seeks regular bail, he too would be given the same privilege and his petition would be disposed off on the same day without being prejudiced by the fact that the present appeal has not been entertained. The court below shall also take into account that apart from the vague allegation having been levelled against the appellant for having taken the caste name of the informant, there is no other allegation against him.

With the aforesaid observation, the present appeal is disposed of.

(Ashutosh Kumar, J)

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