

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3139 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -GURARU District- GAYA

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Mritunjay Kumar son of Nageshwar Singh, Resident of village
Manjhiyama, P.S. Konch, District Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-11-2017 Heard the parties

The appellant seeks regular bail in connection with Guraru
P.S.Case No.98 of 2017 for the offences under Section 452, 323,
341, 382, 504 and 506 of the Indian Penal Code and Section
3(1)(r)(s) of SC/ST (POA) Act.

The allegation against the appellant is of abusing the
informant, who is said to be Nazir of the Circle Officer's office
by taking caste name.

Submission of the learned counsel for the appellant is that
falsity of the case will appear from the fact that he has alleged in
the FIR that he had given a petition to this effect to the Circle
Officer for forwarding the same to the I.O. but the statement of the
C.O. is available on the record as Annexure-2 in which he has
stated that no such application had been given to him. Further



submission is that the informant is in the habit of lodging such type of application, earlier also he had lodged a case on one Shilbhadra Kumar and in that case this appellant is one of the witnesses.

Heard learned Spl. P.P., who has opposed the prayer for on the ground of maintainability as there is allegation of abusing the informant by taking caste name.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant surrender within a period of six weeks and make prayer for regular bail, which will be considered by the learned Special Judge on the basis of contention of the appellant and also considering the Annexue-2 and 3, he will pass appropriate order, if possible on the same day without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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