

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2041 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -SC/ST District- SUPAUL

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1. Satyarth Prakash @ Pappu Mehta, son of Krishnadev Mehta,
2. Krishnadev Mehta, sons of Late Ganga Ram Mehta, resident of Nonpar,
Police Station- Bhaptiyahi, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : M/s Arun and Sanjay Kumar, Advs.

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-07-2017

This appeal is for grant of pre arrest bail in connection with Supaul SC/ST P.S. Case No. 05 of 2017 registered for the offences under sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and section 3 (i) (r) (s) w (i) of the SC/ST Act.

Allegation against the appellants is that they have abused the informant by taking her caste name.

Submission of the learned counsel for the appellants is that prior to the aforesaid occurrence, a Panchayati was held in which appellant no. 1 being Sarpanch punished the son of the informant and due to that, a false and concocted case has been filed against the appellants. Further submission is that there is delay of more than 20 days in lodging of the F.I.R. and other accused, whose name in the F.I.R., has also lodged a case against



the informant, which is Annexure-3 to this application and the appellant no. 2 is son of appellant no. 1.

Heard learned Special Public Prosecutor also,

Learned Special Public Prosecutor opposes the prayer of bail, stating that as per the FIR, the offence under the aforesaid section is made out against the appellants, in this view of the matter, this appeal is not maintainable.

Heard learned Special Public Prosecutor also

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the appellants.

Let the appellants surrender and make prayer for regular bail, which will be considered by the Special Court on the basis of the submission as stated above and considering the aforesaid submission, the Special Court will dispose of the prayer for bail of the appellants, if possible on the same day, with being prejudiced by the order of this Court.

Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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