

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2642 of 2017

Arising Out of PS.Case No. -3697 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Surendra Prasad Singh Son of Late Ragho Singh, R/o village-
Bajjnathpur, P.O.- Sarbahady, P.S.- Manpur, District- Nalanda.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhola Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-11-2017 Heard the parties.

The appellant seeks *pre arrest bail* in connection with
Complaint Case no.3697© of 2013, Trial No.2492 of 2013
registered for offences punishable under Section 506 of the Indian
Penal Code and Section 3(i)(x) of SC/ST (Prevention of
Atrocities) Act.

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

Submission of the learned counsel for the appellant
is that there is delay of ten months in lodging the FIR and further
the appellant is superior of the informant in his office and he had
made several complaints against the informant, which will appear
from Annexure-4, in which enquiry was also set up against the
informant and as such the present case has been lodged against the



appellant.

Heard learned Special P.P. also, who has opposed the prayer for bail on the ground of maintainability as the cognizance has already been taken in this case.

Having heard both sides, this appeal is not maintainable.

Let the appellant surrender before the court of learned Special Judge within a period of six weeks and make prayer for regular bail, which will be considered by the learned Special Judge on the ground that there is delay of ten months in lodging the FIR and further the appellant has lodged the complaints against the informant and in that complaint there is enquiry pending against the appellant and furthermore the appellant is a government servant.

Considering all the aspect of the matter, he will dispose of the prayer for bail of the appellant 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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