

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12358 of 2017

Arising Out of PS. Case No.-154 Year-1998 Thana- KHAJANCHI HAT District- Purnia

Sarfraz Alam @ Md. Sarfraz Alam, son of Haji md. Talsimuddin, a resident
of Sisouna, Police Station- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 20-09-2023 Heard the parties.

2. The present application has been filed for quashing of the order dated 30.07.2016 passed in Cr. Revision No. 97/2016 passed by learned Sessions Judge, Purnea as well as order dated 07.04.2016 passed by learned C.J.M., Purnea, whereby and whereunder the learned C.J.M., Purnea has taken cognizance against the petitioner under Sections 384, 353 and 504 of the Indian Penal Code in connection with K. Hat P. S. Case No. 154/1998.

3. As per prosecution case, on 30.04.1998, informant in his statement stated that he was called by accused in the circuit house and in compliance of order of Sarfraz Alam, Minister of Revenue and Land Reforms, Government of Bihar, Patna ordered him to be present as Protocol Officer in his house



24 hours. Informant replied that he is not a Protocol Officer and he came to know about his arrival. He also narrated his engagement of several programmes and for this he demanded Rs. 15,000/- from the informant and when the informant expressed his inability to meet such demand due to which accused used some abusive words to him and also told him as idiot and threatened him to reduce by 6 inches. For this informant lodge the aforesaid case.

4. The petitioner is Ex. Minister/MLA and the matter is being heard at M.P./MLA Court.

5. This application is disposed of with liberty to the petitioner to raise all the grounds at the stage of framing of charge.

6. If such an application is filed, the same shall be decided in view of the law laid down by Hon'ble Supreme Court in the case of ***Kanchan Kumar vs. State of Bihar (2022)*** **9 SCC.**

(Sandeep Kumar, J)

Ranjeet/-

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