

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.783 of 2016

Arising Out of PS.Case No. -null Year- null Thana -null District- NAWADA

Pranav Kumar @ Charchil S/o Braj Kishore Singh R/o Baraun, P.S. Kawakol,
Distt. - Nawada

.... Appellant

Versus

The State of Bihar

.... Respondent

Appearance :

For the Appellant/s : Mr. Amresh Kumar Singh, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP>

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL JUDGMENT

Date: 04-10-2016

Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. This appeal under Section 14-A(2) of the
Scheduled Castes and the Scheduled Tribes (Prevention of
Atrocities) Act, 1989 has been directed against the order dated
07.09.2016 passed by the learned 1st Additional Sessions Judge,
Nawada in B. P. No. 779 of 2016/ 35 of 2016 by which the
application of the appellant for bail has been rejected in connection
with Kawakol P. S. Case No. 93 of 2016 registered under Sections
384, 504 and 506 of the Indian Penal Code and Section 3(1)(x) of
the Scheduled Castes and the Scheduled Tribes (Prevention of

Atrocities) Act, 1989.

3. It is contended by the learned counsel for the appellant that the alleged demand of *rangdari* from the informant of the case is false and the appellant has been implicated in this case only because he had sought for written information from the informant under Rights to Information Act. It is further contended that the appellant has already surrendered before the court below on 24.08.2016 and on completion of investigation, the police have already submitted charge-sheet and cognizance of the offences has been taken. The appellant having no criminal antecedent and having got roots in the society, is not likely to abscond or tamper with the evidence in case of release on bail.

4. On the other hand, learned Special Public Prosecutor for the State has opposed the application for grant of bail to the appellant. He has submitted that the informant being *Anganbari Sevika* was threatened by the appellant on phone and her husband was also abused by him.

5. Regard being had to the facts of the case and totality of the circumstances, the impugned the order dated 07.09.2016 passed by the learned 1st Additional Sessions Judge, Nawada in B. P. No. 779 of 2016/ 35 of 2016 is set aside. The appellant is directed to be released on bail on furnishing bail bond

of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Nawada in connection with Kawakol P. S. Case No. 93 of 2016.

6. The appeal stands allowed.

(Ashwani Kumar Singh, J.)

Kanchan/-

AFR/NAFR	NAFR
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