

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1812 of 2017

Arising Out of PS.Case No. -24 Year- 2016 Thana -SC/ST District- KHAGARIA

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1. Bidyanand Singh, Son of Saudagar Singh, Resident of Village- Gawas
Kadwa Basa, P.S. Beldaur, Dist.- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bharat Bhushan

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2017 The appellant seeks regular bail in connection with S.C.
& S.T. P.S.Case No.24 of 2016 registered for offences punishable
under Sections 341, 323, 406, 420, 504, 506 and 34 of the Indian
Penal Code and Section 3(i)(r)(s) of SC/ST (POA) Act.

Allegation against the appellant is that as per F.I.R. he
cheated the informant and induced him on the assurance that he
will provide job and took Rs.50,000/- and now he is not returning
the money and when the appellant demanded money, he was
abused by the appellant and the other co-accused persons,
however, it is submitted on behalf of the appellant that as per
F.I.R. the allegation is that the appellant met the informant in the
house of Mahavir Singh however, dispute is going on between the
appellant and Mahavir Singh since 1.12.2015, as such, it does not



come probable that he will meet the informant in the house of Mahavir Singh and further it is submitted that the age of the informant is 46 years, as such the prosecution story does not appear probable that he has induced the informant by taking money for providing job. The appellant is in custody since 22.5.2017.

Heard learned Special P.P. as well as learned counsel for the informant. They have opposed the prayer for bail and the learned counsel for the informant has alleged that the appellant is threatening from the Jail.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 1st Addl. Sessions Judge-cum-Special Judge of S.C./S.T. (POA) Act, Khagaria in connection with Special S.C./S.T.Case No.192 of 2017 arising out of Khagaria S.C./S.T. P.S.Case No.24 of 2016 dated 1.9.2016, after setting aside order dated 29.5.2017 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge of S.C./S.T. (POA) Act, Khagaria in Special S.C./S.T.Case No.192 of 2017 arising out of Khagaria S.C./S.T.



P.S.Case No.24 of 2016 dated 1.9.2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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