

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1328 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -SC/ST District- JEHANABAD

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Ramjeet Prasad @ Ramjee Prasad @ Ram Jeevan Prasad Son of late Ram Saar Mahto @ late Sagar Mahto, Resident of Village- Damuha, P.S. Koka, District- Jehanabad.

.... Appellant

Versus

1. The State of Bihar.
2. Kiran Devi Wife of late Rajdeo Paswan Resident of Village Lakhwar, P.S. Ghoshi, District- Jehanabad.

.... Respondents

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Appearance :

For the Appellant/s : Mr. Jagdish Prasad with Mr. Ashok Kumar
For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-07-2017 Heard learned counsel for the appellant and learned Special P.P.

This appeal has been filed for setting aside the order dated 11.4.2017 passed by 1st Additional Sessions Judge, Jehanabad, in bail petition filed by the appellant, arising out of Jehanabad SC/ST P.S.case No. 19 of 2016 instituted under Sections 406/34 of the Indian Penal Code and 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR against the appellant is that he has taken Rs.18,000/- from the informant and given receipt also on the promise that money will be doubled within four years and after



four years when she enquired the matter she came to know that there is no such office and appellant is not returning the amount and allegation is that he abused her by taking her caste name.

It has been submitted on behalf of the appellant that appellant is not an employee or an agent of the Insurance Company and he has not taken any money from the informant and given any receipt. It has further been submitted that appellant is in custody for about three months.

Learned Special P.P. could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, as stated above, let the appellant, named above, be enlarged 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 1st Additional Sessions Judge-cum-Special Judge, Jehanabad, in connection with Jehanabad SC/ST P.S. Case No. 19 of 2016, subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court concerned, he will co-operate in 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 reason, the prosecution is free to move for cancellation of his bail and further he will not induce any witness or tamper with the evidence.

The appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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