

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3059 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -SARSI District- PURNIA

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Goutam Singh S/o Anil Singh @ Anil Kuamr Singh, R/o Village- Bhutnath
Mandir, P.S.- K. Hat, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sri Krishna Ranjan

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-12-2017 The petitioner has challenged the order dated 22.09.2017 passed by the learned First Additional Sessions Judge-cum-Special Judge (SC/ST) Purnea in Special (SC/ST) Case No. 184 of 2017, arising out of Sarasi P.S. Case No. 119 of 2017 instituted for the offences under Sections 406 and 420 of the Indian Penal Code and Sections 3(i)(x) of the SC/ST Prevention of Atrocities Act whereby his prayer for being released on bail has been rejected.

It has been alleged in the FIR that the appellant projected himself as an agent of the BDO and a functionary of a cooperative society and induced the informant and others of making payment of Rs. 30,000/- each for the purposes of obtaining loan for purchase of milch cattle. It has been alleged that



when the informant and others enquired from the bank about the loan, they learnt that no such amount has been deposited by the appellant. The informant has therefore alleged that fraudulently, the informant and others have been divested of their hard earned money to the tune of Rs. 12,20,000/-.

Learned counsel for the appellant has submitted that the appellant did not induce any one of the associates of the informant or the informant himself for taking any loan from the bank. He has only been instrumental in making them aware that they can obtain loan from the bank for purchase of the cattle. In the process, it has been argued that perhaps the informant and others were of the mistaken notion that the cattle would be provided to them free of cost. After the cattle were provided to the informant and others, the bank started sending reminders for making repayments of the loan. Thereafter, the present case has been lodged. The investigation papers reveal that some of the persons have been provided with the milch cattle.

The appellant is in custody since 11.09.2017.

For the aforesaid facts, the order dated 22.09.2017 is set aside.

In the facts and circumstances, the appellant above named is directed to be released on bail on his furnishing bail



bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned First Additional Sessions Judge-cum-Special Judge (SC/ST) Purnea in Special (SC/ST) Case No. 184 of 2017, arising out of Sarasi P.S. Case No. 119 of 2017.

(Ashutosh Kumar, J)

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