

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3248 of 2017

Arising Out of PS.Case No. -1550 Year- 2014 Thana -VAISALI COMPLAINT CASE District -
VAISHALI(HAJIPUR)

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1. Harendra Rai S/o Late Anup Lal Rai R/o Village - Panapur Sukhanand,
P.S. - Bidupur, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.
2. Indu Devi W/o. Birendra Paswan, village-Panapur, Sukhanand, P.S.
Bidupur, District- Vaishali

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rina Sinha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 12-12-2017 This is an appeal under Section 14(A)(2) of the

Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act,

1989 against the refusal of prayer for anticipatory bail by the

learned Additional Sessions Judge-I-cum Special Judge, Vaishali

at Hajipur, in connection with Complaint Case No.1550 of 2014

registered under Sections 147/323/504 of the Indian Penal Code

and Section 3(i) (x) of the Schedule Caste and Schedule Tribe

(Prevention of Atrocities) Act, 1989.

Complaint based allegation is that the appellant abused

taking caste name of the complainant as the appellant wanted for

removal of the complainant's hut.

Submission of the learned counsel for the appellant is



that near the house of the appellant several persons have put their hut, though on the government land but in unauthorized manner and are making the whole locality dirty by water logging and temporary drainage. The appellant has stated the aforesaid fact on oath and for removal of the nuisance; the appellant had asked the complainant. However, just to put wrongful pressure, false complaint has been filed.

Considering the entire facts, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Complaint Case No.1550 of 2014, with condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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