

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No. 1485 of 2017

Arising out of P.S. Case No. - 65 Year - 2009 Thana - SC/ST District - BEGUSARAI

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1. Onkarjit Singh Ahluwalia @ Omkarjeet Singh @ Onkarjit Singh, S/o Late Sardar Singh, Resident of Mohalla - New Colony Ulao, Thana Muffasil, District - Begusarai, Presently residing at 101 Indra Park, Model Town, P.S. - 7, District - Jalandhar, Punjab
 2. Daljit Singh, S/o Late Eqbal Singh, Resident of Mohalla - New Colony Ulao, Thana Muffasil, District - Begusarai, Presently residing at House No. - 13, GTB Nagar, Jamalpur Road, P.S. - Jamalpur, District - Ludhiana, Punjab

.... Appellants

Versus

1. The State of Bihar

.... Respondent

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Appearance :

For the Appellants : Mr. Ramakant Sharma, Sr. Advocate
Mr. Saket Tiwary, Advocate
For the Informant : Mr. Suraj Narayan Prasad Sinha, Sr. Advocate
Mr. Sandip Kumar Gautam, Advocate
For the Respondent : Mr. Sadanand Paswan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-05-2017 Heard learned counsel for the appellants, the informant and the State.

Actually, this is a regular bail matter.

This appeal has been filed under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for regular bail by the learned Special Judge, Begusarai.

The FIR of SC/ST Police Station Case No. 65 of



2009 was registered under Sections 342, 354, 352 of the Indian Penal Code as well as under Sections 3(i)(x)3(i)(ix) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is of molestation and indignation of the complainant by the appellants. After investigation, the police submitted final form. However, the learned Magistrate, differing with the police opinion, took cognizance against the appellants.

Submission is that the appellants are senior citizens. The allegation is due to some dispute with the full-brother of the appellants. Actually, the full-brother Indrajeet Singh had filed Complaint Case No. 1001(C) of 2009 and Complaint Case No. 1069(C) of 2009 against the appellants and in both the complaint petitions, the present complainant is one of the witnesses of the complaint and at the instance of full-brother, the present false case has been lodged.

Learned counsel for the informant opposed the prayer for bail on the ground that anticipatory bail of the appellants was refused earlier up to the Hon'ble Apex Court and the allegation of molestation is serious in nature.

Considering the background and allegation of nature, let the appellants, above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SCST, Begusarai/successor Court in connection with Sessions Trial No. 301 of 2016 arising out of Begusarai SC/ST Police Station Case No. 65 of 2009.

The appeal stands disposed off.

(Birendra Kumar, J)

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