

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.986 of 2017

Arising Out of PS.Case No. -30 Year- 2017 Thana -MAHILA P.S. District-
NALANDA (BIHARSHARIFF)

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Rajesh Kumar, son of Sekhanand Jamadar @ Parmanand Bind, resident of village - Narsanda, Police Station - Chandi, District - Nalanda, at present resident of village - Chiraiyapar, Police Station - Harnaut (Telmar), District - Nalanda.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Singh, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

3 13-06-2017 Heard the parties.

The present appeal, under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 (*hereinafter referred to as the SC/ST Act*), has been preferred against an order, dated 07.03.2017, passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Nalanda at Biharsharif, in connection with Mahila P.S. Case No. 30 of 2017,



disclosing offences punishable under Sections 354(A), 341, 323, 504 and 506 of the Indian Penal Code and Section 3(i) (w) of the SC/ST Act, whereby, his application for release on bail has been rejected.

Learned counsel, appearing on behalf of the appellant, has submitted that because of rivalry between management of two coaching institutes, located at Biharsharif, the appellant has been got implicated in a false criminal case. He has submitted that there is no chance of the appellant absconding from the course of investigation or trial, if he is released on bail. He has also submitted that refusal of bail by the court below is improper.

Since the matter relates to grant of bail and the appellant is said to be in custody since 23.02.2017, the impugned order, dated 07.03.2017, is set-aside.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned 1st Addl. Sessions Judge-cum-Special Judge, Nalanda at Biharsharif**, in connection with **Mahila P.S. Case No. 30 of 2017**.

This is subject to the condition that the appellant shall present himself before the police/Court, as



the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

This application is, accordingly, allowed.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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