

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1957 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- MADANPURA District- Aurangabad

Rajaram Singh, aged about 59 years, S/o Late Shyam Narayan Singh, R/o
Asha Bigha, P.S.- Rafiganj, Dist- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nagadeo Choubey
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 26.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, (SC/ST) Act, Aurangabad in Madanpur Police Station Case No.83 of 2018 registered under Sections 341, 504, 506 of the Indian Penal Code and Section 3(1)(r)/3(1)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellant who is *Panchayat Secretary* (a Government Servant) lodged Madanpur Police Station Case No.82 of 2018 against the husband of the present informant alleging therein that the informant is a *local Mukhiya*. Her entire work is being performed by her husband, who was putting pressure for construction



of a road for which there was no fund. Diversion of the fund was not permissible. For that reason he had abused and assaulted to the appellant on 03.04.2018. Thereafter, the present F.I.R. has been lodged for the occurrence of the same date dated 03.04.2018, alleging therein that there is identical dispute for release of the fund.

Considering the background and nature of allegation, 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 bond of Rs.20,000/- (Rupees 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 the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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 impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

