

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3573 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -SC/ST District- SASARAM (ROHTAS)

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1. Dinesh Chandrabanshi Son of late Hira Chandrabanshi Resident of Village-
Chenari Dih, P.S. Chenari, District- Rohtas Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :
For the Appellant/s : Mr. Rakesh Narayan Singh, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 06-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 18.11.2017 by the learned Additional Sessions Judge-I, Rohtas at Sasaram, in connection with SC/ST Dehri (Rohtas) Police Station Case No.68 of 2016 registered under Sections 420,408,323,504,506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he had taken money from the informant for managing job. Neither the job was managed nor money was refunded and in that wake, the appellant committed abuse by taking caste name.

Submission of the learned counsel for the appellant is that both sides are shopkeepers in the neighbour



and for some other trivial dispute, false case has been lodged. Even if the allegation is assumed to be correct, the informant was himself indulged in illegal act of managing backdoor entry in job.

Learned counsel for the informant opposed the prayer for bail on the ground that a complaint has been filed against the appellant for suppression of criminal antecedent.

Appellant is in custody since 23.10.2017.

Considering the entire facts including the nature of allegation and period already undergone by the appellant, let the appellant, above named, be released on bail on furnishing bail bond 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 the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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