

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1168 of 2018

Arising Out of PS.Case No. -286 Year- 2017 Thana -RUPASPUR District- PATNA

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1. Avinash Kumar @ Amit Kumar, Son of J.D. Sharma, Resident of ESI Colony,
Ambedkar Path, P.S.- Rupaspur, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Priyank Deepak, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-06-2018

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 against the refusal of prayer for bail by the learned Additional Sessions Judge-V-cum-Special Judge (S.C./S.T. Act), Patna, in connection with Rupaspur Police Station Case No.286 of 2017 registered under Sections 341/323/504/501/506/109 of the Indian Penal Code and Sections 66(B)(C)(D)(E) of the I.T. Act and Sections 3(1)(n) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that false allegation is there in the FIR for the reason that the informant had taken a loan from the appellant



which he was not refunding. The witnesses have stated before the police that for refund of money several rounds of talks took-place. The appellant is in custody since 25.02.2018. Investigation of the case is already complete.

Considering the entire facts of the case, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	

