

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2933 of 2018

Arising Out of PS. Case No.-1089 Year-2013 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Awadesh Singh, Son of Govind Singh, Resident of Village- Pachaut, P.O.-
Pachaut, P.S.- Beldaur, District- Khagaria.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Amarnandan Prabhat, Son of Late Sahdev Paswan, Resident of Village-
Beldaur, P.S.- Beldaur, District- Khagaria.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Singh
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 07.06.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Khagaria in A.B.P. No.39 of 2018, arising out of Complaint Case No.1089 C of 2013 registered under Sections 341, 323, 353, 504 of the Indian Penal Code and Sections 3 (1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Initially a Police case of the matter was lodged, vide S.C./S.T. (Khagaria Police Station Case No.62 of 2012). After investigation, the Police did not send up the appellant for trial. Thereafter, a protest petition was filed and after four years cognizance has been taken against the appellant. Appellant is local *Mukhiya* and the informant is *In-charge Headmaster* of the School.

Allegation is that appellant demanded ransom for allowing the informant to complete the school work, whereas contention of the appellant is that the Headmaster was not constructing the school within the time framed, which was causing annoyance to the people at large. Hence, the appellant had gone to complaint about the non-performance of the Headmaster. Appellant has got no criminal antecedent.

Considering the aforesaid facts, 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/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	22.12.2018
Transmission Date	22.12.2018

