

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3009 of 2018

Arising Out of PS.Case No. -159 Year- 2018 Thana -MASRAKH District- SARAN

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1. Umesh Singh Son of Ram Agya Singh Resident of Village - Gangauli, P.S. Mashrakh, District - Saran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 04-09-2018

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 18.07.2018 in Mashrakh P.S.Case No. 159 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Saran at Chapra, registered under Sections 406,420,467 of the Indian Penal Code and Section 3(2)(5)of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant had paid Rs.60,000/- to the appellant one year prior to the lodging of the FIR, for the reason that the appellant had ensured to manage agency for L.P.G.



Agency. When the agency was not managed, the informant asked for refund of money, thereafter appellant abused and assaulted by taking caste name.

Submission is that appellant is a farmer. There is no evidence of payment of any money to the appellant, false implication is there due to village politics. Appellant is in custody since 01.06.2018.

Considering the nature of allegation, 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
CAV DATE	NA
Uploading Date	05.09.2018
Transmission Date	05.09.2018

