

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3247 of 2017

Arising Out of PS.Case No. -156 Year- 2015 Thana -RAJAUN District- BANKA

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1. Rameshwar Sah @ Rameshwar Prasad @ Rameshwar Prasad Sah S/o
Late Bhagwat Sah resident of vill – Ambabag, Aliganj, P.S. - Babarganj,
District - Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajeev Ranjan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 15-01-2018

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, 1st-cum-Special Judge, Banka, in connection with Rajonn Police Station Case No.156 of 2015 registered under Sections 406/409/420/468 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to complaint based F.I.R., the appellant and others induced the complainant to deposit money in Prayag Infotech High Rise Company Ltd. to get better return. The complainant and some others deposited the money and did not get refund. When the complainant asked to refund the money the



appellant allegedly abused him by taking caste name.

Submission of the learned counsel for the appellant is that the appellant was himself victim of cheating by the said non-banking company and the appellant has moved this Court for redressal of his grievance in CWJC No.8226 of 2015, the complainant was also an agent of the said company likewise the appellant. No amount was ever paid to the appellant by the company.

Considering the entire fact aforesaid specially the fact that the occurrence of abuse by taking caste name of the complainant did not take in public view, the bar under Section 18 of the Act is not applicable 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 appeal stands allowed.

(Birendra Kumar, J)

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