

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2218 of 2018

Arising Out of PS. Case No.-63 Year-2017 Thana- TARAIIYA District- Saran

Rajiv Kumar Singh @ Pentar, S/o Sri Madan Singh, Resident of Marhourah,
Vaisya Tola, P.S.- Taraiya, District- Saran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(1) 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 25.05.2018 passed by the learned 1st Additional Sessions Judge, Saran at Chapra in A.B.P. No.1367 of 2018, arising out of Taraiya Police Station Case No.63 of 2017 registered under Sections 420, 467, 468, 471, 406, 323, 504 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Complaint based F.I.R. would reveal that on persuasion of this appellant the complainant had paid Rs.1,30,000/- (Rupees One Lac and Thirty Thousand) for managing job in the Railways.



The job was not managed. Hence, the complainant found himself to be cheated.

Submission is that the complainant was himself indulged in getting a back door entry in the Railways. Hence, his illegal act cannot be protected by the Court. Moreover, there is no evidence of giving such huge money.

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/-

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Uploading Date	
Transmission Date	

