

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3077 of 2018

Arising Out of PS.Case No. -571 Year- 2017 Thana -KOTWALI District- PATNA

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1. Ajay Veer Singh @ Ajay Bir Singh @ Ajay Kumar Singh Son of Bhudev Singh
@ Bhudev Solanki R/o 84, Natwar Nagar, Dholi Pyau, Makura, P.S. - Mathura,
District - Mathura, Uttar Pradesh.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-09-2018

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 anticipatory bail vide order dated
25.07.2018 passed by the learned Special Judge (S.C./S.T. Act)-cum-
Additional Sessions Judge-V, Patna, in A.B.P. No.3396 of 2018,
arising out of Kotwali Police Station Case No.571 of 2017, registered
under Sections 406/467/468/471/472/120B/419/420/416 of the Indian
Penal Code and Sections 3(i)(x)/3(1)(r)/3(2)(b) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of commission of abuse by taking caste
name of the friend of the informant is there against the appellants for
dispute arising between the informant and co-accused Nirbhay Singh
due to money advanced by the informant to Nirbhay Singh and



bouncing of the cheque issued by Nirbhay Singh.

Submission is that co-accused Nirbhay Singh has already been allowed bail by this Court vide order dated 29.03.2018 passed in Cr. Appeal (SJ) No.251 of 2018. Only concocted allegation is there against the appellants just to pressurize.

Considering the background of allegation and the aforesaid fact, 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 bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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