

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1634 of 2018

Arising Out of PS.Case No. -444 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA

=====

1. Jahangir, son of Md. Domi @ Domi Miyan, Resident of Village- Kujra Tola,
Sat Kodariya, P.S.- K. Nagar, District- Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

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

For the Respondent/s : Smt. Usha Kumari No.1, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-07-2018

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 20.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.), Purnea, in connection with K.Nagar (Maranga) Police Station Case No.444 of 2017, Special SC/ST Case No. 174 of 2017 registered under Sections 341,323,307,386,504,506/34 of the Indian Penal Code and Section 3(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of commission of assault for non-fulfillment of demand of ransom is against co-accused Sunil



Yadav. Appellant was also present there. Appellant has stated on oath that he has got no criminal antecedent. He is in custody since 03.04.2018.

Submission is that false implication is there due to business rivalry, as the appellant was also interested in running a brick-kiln at the same place, where brick-kiln of the informant was there.

Considering the nature of material against the appellant, 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	02.08.2018
Transmission Date	02.08.2018

