

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2024 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -BELDAUR District- KHAGARIA

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1. Lukho Sharma @ Ashok Sharma Son of Late Lakhan Sharma, Resident
of Village - Saraswatinagar, Itmadi, P.S.- Beldaur, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shekhar Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 31-01-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned Special Judge (S.C./S.T.), Khagaria in Beldaur P.S. Case No. 131 of 2016 registered under Sections 341, 323, 384, 504, 506/34 of the Indian Penal Code as well as Section 3(1)(r)(s) of the SC/ST Act.

According to FIR, the appellant had demanded ransom from the informant in the past. The informant did not complain about that occurrence. Allegation is that when the informant was returning along with his daughter, the appellant again demanded ransom and committed assault.

Submission of the learned counsel for the



appellant is that false implication is there due to village politics.

On the other hand, learned counsel for the informant opposed the prayer on the ground that the appellant has got criminal antecedent.

Through supplementary affidavit, the appellant has disclosed the past criminal cases against the appellant wherein the appellant has already been acquitted.

Considering the fact that simple allegation is of demand of ransom, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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