

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1326 of 2018

Arising Out of PS. Case No.-375 Year-2017 Thana- BIHIYA District- Bhojpur

Nandeshwar Singh, S/o Kameshwar Singh, Resident of Vill.- Kharauni, P.S.-
Bihiya, Dist.- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajani Ranjan Pd. Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 16-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against the refusal of prayer for anticipatory bail vide order dated 13.02.2018 passed by the learned 1st Additional Sessions Judge, Bhojpur at Ara, in A.B.P. No.39 of 2018, arising out of Bihea Police Station Case No.375 of 2017 registered under Sections 323, 341, 504, 506/34 of the Indian Penal Code and Section 3(2)(V)(a)/3(r)(s) and Section 3(1)(V)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Contention of the learned counsel for the appellant is that the informant, who is a Junior Engineer in the Electricity Department is in the habit of lodging false criminal case just to harass against different persons, especially when people fail to



fulfill his desire for getting electric connection. The F.I.R. of Bihiya P.S. Case No.288 of 2017 lodged by the same informant is an example of the same.

Considering the facts aforesaid as well as background and nature of allegation, 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 the appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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Uploading Date	
Transmission Date	

