

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1966 of 2018

Arising Out of PS. Case No.-18 Year-2017 Thana- SC/ST District- Siwan

Rajaram Sah, Son of Hiralal Sah, Resident of Village- Chap Pshchim Patti,
Police Station- Sarai O.P., District- Siwan.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Raghav Prasad
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 10.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Siwan in A.B.P. No.652 of 2018, arising out of S.C./S.T. Police Station Case No.18 of 2017 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3 (1) (r) (s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Earlier a case vide *Annexure-3* was lodged by the wife of the appellant against the father of the informant and others for



the offences under Section 341, 323, 354, 337, 504, 506 of the Indian Penal Code.

Submission is that just to pressurize the present false case has been lodged with false allegation that the appellant was pressurizing the *local Chowkidar* to withdraw the earlier case lodged against the father of the appellant.

Contention is that at the relevant time the appellant was *Mukhiya* when the village got *Nirmal Gram Puraskar* from *His Excellency The President of India* and at present he is a *Block Pramukh*.

Considering the 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 this appeal stands allowed.

abhishek/-

(Birendra Kumar, J)

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Transmission Date	

