

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3311 of 2018

Arising Out of PS. Case No.-1 Year-2017 Thana- COMPLAINT CASE District- Sheohar

Chitranjan Ray, S/o Rajvanshi Rai, R/o Village- Kasturia, P.S.- Tariyani,
District- Sheohar.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hans Lal Kumar
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 16.07.2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge, Sheohar in A.B.P. No.270 of 2018, arising out of Complaint Case No.C1-01 of 2017 registered under Sections 323, 504 of the Indian Penal Code and Section 3 (1)(x)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant, *Chitranjan Kumar @ Chitranjan Ray* had lodged Complaint Case No.191 of 2015 against the informant of this case in the court of learned Chief Judicial Magistrate, Sheohar, alleging therein that the informant of this case had taken Rs.1,00,000/- (Rupees One Lac) under an agreement. However, neither money was



refunded, nor agreement to perform work was performed. Thereafter, the present case has been lodged alleging therein that on demand of due wages, the appellant allegedly abused and assaulted.

Submission is that concocted allegation is there just to put pressure in the earlier case.

Considering the background 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.

(Birendra Kumar, J)

abhishek/-

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