

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2863 of 2018**

Arising Out of PS. Case No.-128 Year-2016 Thana- GAUNAHA District- West Champaran

Tuntoon Nath @ Tuntoon Nath Paswan Son of Late Gopal Nath Resident of  
Village - Harkatawa, P.S. - Gaunaha, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ashok Kumar Gupta, Adv  
For the Respondent/s : Mr. Binay Krishna, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 26-11-2018**

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 20.06.2018 in Gaunaha P.S. Case No.128 of 2016 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), West Champaran, Bettiah, registered under Sections 409,420 of the Indian Penal Code and Section 3 (1)(X) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is in custody since 11.03.2018. Allegation is that he cheated some of the villagers by inducing them to pay money for arranging Govt. fund for Indra Awas.



Considering the nature of allegation and period already undergone by the appellant as well as the fact that the investigation of the case is already complete and there is no allegation of tampering with the evidence, 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/-

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