

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3677 of 2018

Arising Out of PS. Case No.-422 Year-2013 Thana- MAJHAULIA District- West Champaran

Ramtullah Mian @ Md. Rahamtullah Ansari S/o Rasul Mian, R/o Vill.-
Baluatal, Chandmari, Near Sapahi Mai Sthan, P.S.- Motihari, District- East
Champaran at Motihari.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Jeetendra Kumar Paswan S/o Sukar Paswan, R/o Vill.- Nautan , P.S.-
Majhauria, District- West Champaran at Bettiah.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Prasad, Advocate Mr. Jeetendra Narayan, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 05-11-2018

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 vide order dated 20.08.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, West Champaran at Bettiah, in B.P. No. 3139 of 2018, arising out of Majhauria Police Station Case No.422 of 2013, registered under Sections 406/420/467/468/471/34 of the Indian Penal Code and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is that co-accused Hasnain Rai and the appellant persuaded the informant to give Rs.3,00,000/- for appointment on the referred post. Part money was paid. However,



no appointment was made.

Submission is that Hasnain Rai has already been allowed bail by the learned Court-below itself. Moreover, the allegation, prima facie, discloses that the informant was himself indulged in illegal activity in getting back-door entry in employment. The appellant is in custody since 02.08.2018.

Considering the entire facts and circumstances, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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