

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1654 of 2018

Arising Out of PS.Case No. -81 Year- 2017 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Dinesh Kumar @ Dinesh Sharma, Son of Late Ram Lakhan Prasad, resident of Village Gangapur, P.S. Katrisarai, District- Nalanda, at present posted as Branch Manager, Magadh Gramin Bank, Saho Bigha Branch, P.S. Ghoshi, District Jahenabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Akhilesh Dutta Verma, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 28-05-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Jehanabad, in connection with Complaint Case No.81 of 2017 registered under Sections 341/323/354/379 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based allegation reveals that the appellant and three others attempted to outrage the modesty of the complainant. The record would reveal that the complainant had already entered into a compromise with other three co-accused vide Annexure-2.



Submission of the learned counsel for the appellant is that the appellant is the Branch Manager of Magadh Gramin Bank, Saho Bigha and he had initiated debt recovery proceeding against a co-villager of the complainant and with connivance of the debtor just to pressurize this false case has been lodged.

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 bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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