

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.91 of 2018

Arising Out of PS.Case No. -62 Year- 2016 Thana -PATORI District- SAMASTIPUR

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1. Basant Kumar Rai @ Yadav, S/o Upendra Rai, Resident of Village-
Hetanpur Dhamoun, P.S.- Patory, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 12-04-2018

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 1st Additional Sessions Judge, Samastipur, in connection with Patory (Mohanpur O.P.) Police Station Case No.62 of 2016 registered under Sections 420/467/468/406 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complainant had given Rs.40,000/- (Forty Thousand) to the appellant for managing admission in the referred College and the admission was not procured. The refund of money was demanded by the informant and the appellant allegedly



abused by taking caste name.

Submission is that just to pressurize the false complaint 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)

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