

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1173 of 2019**

Arising Out of PS. Case No.-542 Year-2018 Thana- FATUA District- Patna

PUKAR SINGH @ RAM PUKAR SINGH Son of Ram Hari Singh R/o  
village- Arai, P.S.- Shahjahanpur, District- Patna

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Vijay Kumar Singh  
For the Respondent/s : Mrs. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

ORAL ORDER

4      26-06-2019                      Heard learned counsel for the appellant and  
learned Special Public Prosecutor for the State.

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 09.10.2018 passed by learned 4<sup>th</sup> Addl. Sessions Judge  
cum Special Judge SC/ST Act, Patna in connection with Fatuha  
P.S. Case No. 542 of 2018 registered under Sections 342, 365,  
467, 468 & 506/34 of the Indian Penal Code and Section 3(i) (r)  
of the Scheduled Castes and Scheduled Tribes (Prevention of  
Atrocities) Act.

Lal Babu Yadav is said to have taken the husband



of the informant to Aligarh for doing the labour work but her husband regressed to the house as he did not accord his wages. Subsequently, on 09.09.2018 Lal Babu Yadav along with other F.I.R. named accused persons including the appellant arrived at her house on the Bolero and took her husband to his house. Informant also arrived there following them. They obtained L.T.I. of the informant and her husband on the blank paper and demanded Rs.1,71,000.00 which he had paid to the informant in advance and extended threatening of dire consequence.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. As a matter of fact, the husband of the informant had taken money from Lal Babu Yadav and the said Lal Babu Yadav was demanding money and to mount pressure upon him the informant has lodged this false and frivolous case also implicating the appellant as he happens to be friend of Lal Babu Yadav. No offence under the SC/ST Act is made out against the appellant. Appellant has no criminal antecedent. The said Lal Babu Yadav has been enlarged on anticipatory bail by coordinate Bench of this Court vide order dated 25.01.2019 passed in Cr. App. (SJ) No.4517 of 2018.

Learned Spl. PP for the State opposed the prayer



for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4<sup>th</sup> Addl. Sessions Judge cum Special Judge SC/ST Act, Patna in connection with Fatuha P.S. Case No. 542 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and this appeal is allowed.

**(Prakash Chandra Jaiswal, J)**

Trivedi/-

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