

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.305 of 2017

In
CRIMINAL MISCELLANEOUS No.48726 of 2016

Arising Out of PS. Case No.-14 Year-2016 Thana- SC/ST District- Sheikhpura

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Dhananjay Kumar @ Dharmendra Kumar S/o Sadhu Mahto, R/o vill-
Satbigahi, P.S. Sheikhpura, Dist.-Sheikhpura

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjeev Kumar

For the Respondent/s : Mr.Sri Sadanand Paswan

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

ORAL ORDER

6 21-11-2019 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 in short referred to as the
'SC/ST Act') against the refusal of prayer of anticipatory bail
vide order dated 19.09.2016 passed by learned 1st Additional
Sessions Judge, Sheikhpura in connection with Sheikhpura
SC/ST P.S. Case No. 14/2016 registered under Sections 420,
468, 471 of the Indian Penal Code and Section 3(1) (X) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.



On the instruction of the appellant, complainant and witnesses joined as agent in Sanskar India Enclave Industries Ltd. Branch Sheikhpura. They deposited money on the allurement of getting handsome interest and dividend on the deposit amount but on maturity when the complainant and witnesses approached the appellant for the money, appellant did not pay back the same and on giving legal notice he slated the complainant in the name of his caste in the Bar Association, Sheikhpura.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case with ulterior motive. He has no concern with the aforesaid financial company. Complainant and others have not given any money to the appellant rather deposited money in the said company and they have been cheated by the aforesaid company. In order to mount pressure upon the appellant, complainant filed this false and frivolous case against the appellant. There is inordinate and abnormal delay of six months in lodging the case without assigning any plausible explanation for the said delay. Petitioner has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for



bail.

In the facts and circumstances of the case, the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sheikhpura in connection with Sheikhpura SC/ST P.S. Case No. 14/2016, 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)

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