

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.8 of 2019

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

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Kameshwar Chauhan @ Kameshwar Chouhan Late Ram Ishwar Chauhan
Resident of village- Erai, P.S.- Shahjahanpur, Via- Karay Parsuray, Gopal
Tola, Dist- Patna

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Nagendra Kumar Singh
For the Respondent/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellant seeks for setting aside the order dated 11.10.2018 passed in ABP No.7318 of 2018 corresponding to Fatuha P.S.Case No.542 of 2018 for the offences punishable under Sections 342, 365, 467, 468, 506/34 of the Indian Penal Code and Section 3(i)(r) of SC/ST Act by the learned ADJ IV cum Special Judge SC/ST Patna whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellant is of abducting the husband of the informant and taking signature on plain paper and showing that Rs.1,71,000/- is due with her husband.

Submission of the learned counsel for the appellant is that FIR itself shows that the dispute is with co-accused Lal Babu Yadav and the



appellant has falsely been named in the FIR and no specific allegation has been attributed against them.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ IV, Patna cum Special Judge SC/ST Act in connection with Fatuha P.S.Case No.542 of 2018, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
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