

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1491 of 2019

Arising Out of PS. Case No.-35 Year-2018 Thana- SAHODARA District- West Champaran

Prahlad Chaudhary, son of Naresh Chaudhary, Resident of Village - Banspur
Pipra, P.S.- Sahodara, Distt - West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Kishor Mishra, Advocate
For the Respondent/s : Mr.Usha Kumari-1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 28-05-2019 Heard learned counsel for the appellant and learned
counsel appearing on behalf of the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 02.03.2019 passed by the learned Additional Sessions Judge-Ist-cum-Special Judge, West Champaran at Bettiah in connection with Sahodara P.S. Case No.35 of 2018 registered for the offences under Sections 341, 323, 447, 448, 504, 506/34 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with four other named accused persons are said to have descended at the door of the informant and slated her in the name of her caste and extended threatening



of dire consequence in case of giving evidence in the case lodged by the informant earlier. They also assaulted the daughter-in-law of the informant intruding into her house.

Learned counsel for the appellant would submit that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the instant case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The accused persons are not said to have slated the informant in the name of her caste in public view rather at the door of the informant. The informant is in habit of lodging case against the appellant with ulterior motive in order to harass him. The appellant is in custody since 12.02.2019.

Considering the aforesaid, the Court is inclined to grant bail to the appellant. Let the appellant, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist-cum-Special Judge, West Champaran at Bettiah, in connection with Sahodara P.S. Case No.35 of 2018 with the condition that the appellant will not extend any sort of threatening to the informant and put pressure upon her to get the case compromised in future else his bail bond shall stand



cancelled.

Accordingly, the impugned order dated 02.03.2019 passed by the learned Additional Sessions Judge-Ist-cum-Special Judge, West Champaran at Bettiah, is set aside and the appeal is allowed.

(Anil Kumar Upadhyay, J)

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