

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1614 of 2019

Arising Out of PS. Case No.-227 Year-2018 Thana- SANGRAMPUR District- Munger

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RANJAN BIND Son of Punit Bind Resident of Village - Samda, P.S.-
Kharagpur, Distt - Munger.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

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

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

ORAL ORDER

5 16-09-2019 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 08.01.2019 read with order dated 15.01.2019
passed by learned 1st Additional Sessions Judge, Munger in
connection with Sangrampur (Tetia Bumber) P.S. Case No. 227
of 2018 registered under Section 387/34 of the Indian Penal
Code, Section 27 of the Arms Act and Section 3(1) (r) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.



During the course of interaction between the headmaster of the school and two unknown persons when the informant arrived there, the aforesaid two unknown miscreants demanded extortion of Rs.50,000.00 from the informant. They also took the mobile number of the informant and demanded the aforesaid extortion money thrice by mobile no.9065738058.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He is not named in the F.I.R. There is no incriminating material on record indicating the complicity of the appellant in the occurrence barring the confessional statement of co-accused Ram Sevak Kumar, which has no evidentiary value in the eye of law. No money was delivered by the informant, hence no offence under Section 387 IPC is made out against the appellant. Hence, the appellant may be enlarged on bail.

On the other hand, learned Special P.P. for the State vehemently opposing the prayer for bail submitted that the headmaster of the school identified the appellant as a person involved in the occurrence at the time of demanding extortion money from the informant by him and unknown miscreant. During the course of investigation, the aforesaid SIM no. was found to be hailing to one Ram Sevak Kumar and the said Ram



Sevak Kumar has confessed about giving the aforesaid SIM to the appellant on demand and demanding extortion money vide SIM by both of them from the informant. Appellant has several criminal antecedents and altogether eleven cases are pending against him. Hence, the appellant does not deserve bail.

Considering the facts and circumstances of case, I am not inclined to enlarge the appellant on bail. The prayer for bail of the appellant is hereby rejected. However, the appellant is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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