

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2415 of 2019**

Arising Out of PS. Case No.-143 Year-2018 Thana- BARUN District- Aurangabad

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VIJAY KUMAR SINGH Son of Ram Lakhan Singh Resident of Village -
Narsiha, P.S.- Muffasil, Distt.- Aurangabad.

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

3 25-07-2019 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 for anticipatory bail
vide order dated 30.04.2019 passed by learned 1st Additional
Sessions Judge cum Special Judge SC/ST Act, Aurangabad in
connection with Barun P.S. Case No. 143 of 2018 registered
under Sections 341, 323, 385, 504 & 506 of the Indian Penal
Code and Section 3(1) (r) (s) and 3 (2) (va) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant, who happens to be Panchayat



Secretary, is said to have slated the informant in the name of his caste on making query with him regarding 5th Financial Commission.

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. Appellant happens to be a government servant and informant is Prakhanda Pramukh. The informant demanded graft of Rs.10,000.00 from the appellant and on refusal to cough up the said demand the informant has lodged this false and frivolous case against him. Though the informant in his written report has alleged that the appellant has slated him in the name of his caste but during the course of investigation neither the informant nor any witness has stated about slating by the appellant.

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 released 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 1st Additional Sessions Judge cum Special Judge SC/ST Act, Aurangabad in connection with Barun P.S. Case



No. 143 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)

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