

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2954 of 2019**

Arising Out of PS. Case No.-553 Year-2018 Thana- ARA NAGAR District- Bhojpur

Vishal Kumar Sinha Son of Sri Uma Kant Prasad Resident of New Colony,
Jailhatta, Sarvodya Nagar, Daltanganj, P.S- Daltanganj, District- Palamu,
Jharkhand.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Kumari W/o - Lav Kush Ram, D/O- Ranjit Ram Resident of Village-
Shivchak, P.S.- Sahar, District- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Satyam Shivam Sundaram
For the Respondent/s	:	Mr. Sadanand Paswan

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

ORAL ORDER

5 06-09-2019 Heard learned counsel for the appellant and learned
Spl. PP for 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 02.05.2019 passed by learned 1st Addl. Sessions Judge,
Bhojpur, Ara in Ara Town P.S. Case No. 553 of 2018 registered
under Sections 420, 406, 504/34 of the Indian Penal Code and
Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

On persuasion of Jay Shankar Pathak to earn
lucrative interest by depositing money in D.G.N. Company, the



informant gave Rs. 1,50,000/- to Jay Shankar Pathak against receipt. On maturity of the scheme, when she approached Jay Shankar Pathak to claim her maturity amount, firstly, he avoided and lastly slated her in the name of her caste and made her to leave his house and the aforesaid company has also been closed.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He happens to be one of the Directors of the aforesaid company. Said Jay Shankar Pathak is not an agent of the said company and he has also not deposited any amount in his company. Receipt filed by the informant in the case is forged one and not issued by any employee of the company. Appellant has been languishing in custody since 5.04.2019. Though, some cases have been lodged against the appellant but he is on bail in the said cases.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Bhojpur, Ara in connection



with Ara Town P.S. Case No. 553 of 2018.

Accordingly, the impugned order is set aside and
appeal is allowed.

(Prakash Chandra Jaiswal, J)

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