

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2941 of 2019

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

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AJAY DIWAKAR @ AJAY KUMAR VIMAL Son of Late Jalim Ram
Resident of Village - Jawahar Tola, P.S.- Nawada Ara, Dist.- Bhojpur (Ara).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Ram Krishna Prasad Yadav, Advocate. Mr. Manoj Prabhakar, Advocate.
For the Respondent/s	:	Mr.Binay Krishna, Spl. PP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 23-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 25.04.2019 passed by learned 1st Addl. Sessions Judge, Bhojpur, Ara in Ara P.S. Case No. 553 of 2018, SC/ST Case No.228/2018 registered under Sections 440, 406 and 504/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

At the instance and assurance of Jay Shankar Pathak who happens to be agent of D.J.N. Company to get the lucrative interest on deposit money in the said company, informant deposited Rs.20000/- arriving at the office where the appellant and other accused persons were present and they were



introduced by said Jay Shankar Pathak who also persuaded her to deposit money in the said company. Later on she also got message about escalation of the money deposited by her in the said company. But after sometime on need when she approached the company she found the aforesaid company closed and when she approached Jay Shankar Pathak he made her to leave the place slating her in the name of her caste.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He is neither the employee of the said company nor has any concern with it. He has also neither taken any money from the informant nor issued any receipt and he has also not persuaded the informant to deposit money in the said company. There is no allegation of slating the informant in the name of her caste against the appellant. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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, SC/ST Case No.228/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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