

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3051 of 2019**

Arising Out of PS. Case No.-286 Year-2019 Thana- GAYA KOTWALI District- Gaya

TILAK RAJ @ RAJ TILAK Son of Rajendra Prasad Resident of Village-
Ramshila P.S.- Kotwali, Dist.- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prithivi Raj Singh
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 29-07-2019 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 of anticipatory bail vide order dated 04.07.2019 passed by learned Exclusive Special Judge SC/ST Act, Gaya in connection with Kotwali P.S. Case No. 286 of 2019 registered under Sections 342, 370, 370 (a) and 374/34 of the Indian Penal Code, Section 14 (A) of the Child Labour Act, Section 79 of the Juvenile Justice Act and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



A minor was found working in the eatery of the petitioner in the raid by the informant.

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. The aforesaid minor was not working in the shop of the appellant rather his father was working in the shop and the shop was closed for considerable time and on reopening of the shop his father sent to him to his shop to take his due wages and in the meantime the raid was conducted and the aforesaid minor was found by the informant in his shop. No offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellant, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Exclusive Special Judge SC/ST Act, Gaya in connection with Kotwali P.S. Case No. 286 of 2019, 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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