

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3440 of 2019

Arising Out of PS. Case No.-302 Year-2019 Thana- BODHGAYA District- Gaya

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Sudhir Singh @ Karghu Singh @ Sudhir Kumar Singh S/o Vijay Singh R/o
village- Jaitiya, P.S.- Cherki, District- Gaya (Bihar)

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent.

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 20-08-2019 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 bail vide order
dated 19.07.2019 passed by learned Exclusive Special
Judge SC/ST Act, Gaya in connection with Bodh Gaya P.S.
Case No. 302 of 2019 registered under Sections 448, 379,
511 & 354 of the Indian Penal Code and Section 3(1) (r) (s)
(w) (i) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Appellant is said to have committed theft of



ranger cycle and gas cylinder intruding into the house of the informant in the night and he was apprehended along with stolen articles by the villagers and was later on handed over to the police.

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. As a matter of fact, informant had taken Rs.3000/- from the appellant with a promise to return the same in the month of June and on his failure to honour the the aforesaid promise when the appellant arrived at his house in the evening to claim back his money he was made captive by the informant and was produced before the police with altogether false and concocted allegation in order to devour the money of the appellant. Appellant has been languishing in custody since 05.07.2019.

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 Exclusive Special Judge SC/ST
Act, Gaya in connection with Bodh Gaya P.S. Case No.
302 of 2019.

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

(Prakash Chandra Jaiswal, J)

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