

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3691 of 2019

Arising Out of PS. Case No.-35 Year-2008 Thana- SC/ST District- Patna

1. Janardan Singh Son of Late Raghunandan Singh Resident of Village-Narwa, Police Station-Fatuha, District-Patna.
2. Aaskit Prasad Son of Late Mannu Yadav Resident of village-Mohiuddinpur, Police Station-Fatuha, District-Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 25-09-2019 Heard learned counsel for the appellants and learned
Spl. P.P. 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 of bail vide order dated 29.07.2019 passed by learned Court of ADJ XIII cum Special Judge, SC/ST Act, Patna, in connection with Special case No. 354 of 2019, arising out of SC/ST Act 35 of 2008, registered under Sections 387, 504/34 of the Indian Penal Code and Sections 3 (1) (x) of the SC/ST Act.

Both the appellants demanded extortion of Rs.20,000/- each from the informant on making illegal gain in



executing the government scheme by him and slated the informant in the name of his caste and also extended threatening.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. They have been falsely implicated in this case due to dirty village politics. They have no criminal antecedent. There is abnormal and inordinate delay of two months in lodging the F.I.R by the informant without giving any plausible explanation for the said delay which creates serious doubt about the prosecution case. Appellants have been languishing in jail custody since 24.07.2019. Parties to the case have entered into compromise.

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

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional court of ADJ XIII-cum-Special Judge SC/ST Act, Patna, in connection with Patna SC/ST P.S. Case No. 35 of 2008.



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

(Prakash Chandra Jaiswal, J)

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