

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3983 of 2019**

Arising Out of PS. Case No.-28 Year-2015 Thana- SC/ST District- Sheohar

=====

JAI PRAKASH TIWARI Son of Late Madan Tiwari Resident of Village -
Mauhariya, P.S.- Sheohar, District- Sheohar

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad
For the Respondent/s : Mr. Sadanand Paswan

=====

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

ORAL ORDER

2 25-09-2019 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 31.07.2019 passed by learned
1st Additional Sessions Judge cum Special Judge SC/ST Act,
Sheohar in connection with SC/ST Case No. 28 of 2015
registered under Sections 341, 323, 353, 354 & 504 of the
Indian Penal Code and Section 3(1) (x) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant arriving at the school slated the



informant on refusal to accord him the report of midday meal scheme.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case as the he supplies the midday meal in the school and he refused to cough up the demand of graft made by the informant. There is no allegation of slating the informant in the name of caste against the appellant, hence 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 1st Additional Sessions Judge cum Special Judge SC/ST Act, Sheohar in connection with SC/ST Case No. 28 of 2015, 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)

Trivedi/-

U		T	
---	--	---	--

