

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4224 of 2018

Arising Out of PS. Case No.-490 Year-2018 Thana- BANKA District- Banka

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Ramesh Singh Son of Late Gehroo Singh Resident of Village-Uper
Tola,Chihar,P.S. Barahat,Distt.-Banka

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha

For the Respondent/s : Mr.Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 08-01-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 27.09.2018 passed by learned **1st Additional Sessions Judge, Banka** in connection with **G.R. No.2443 of 2018 arising out of Banka (Barahat) P.S. Case No.490 of 2018** registered under Sections 498 (A), 328 and 341 of the IPC and Section 3 (1) (w) of SC/ST (Prevention of Atrocities) Act.

Allegation against appellant and other family members is of abusing Informant by her caste name as she belongs to Scheduled caste community and she was not permitted to live with the family of the appellant.

It has been submitted on behalf of the appellant that he is



innocent and has been falsely implicated in this case. Appellant is the Father-in-Law of the Informant. The allegation against the appellant is general and omnibus in nature. The son of the appellant had solemnized love marriage with the Informant four years ago and all allegation against appellant is false and concocted. Appellant has got no criminal antecedent and is in custody since 09.08.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.
- (3) If the Appellant tampers with the evidence or the witnesses of the case, in that case, prosecution



will be at liberty to move for cancellation of bail
of the Appellant.

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

(S. Kumar, J)

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