

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4290 of 2019

Arising Out of PS. Case No.-178 Year-2019 Thana- TEGHRHA District- Begusarai

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PINTU JHA @ PINCHU JHA Son of Mithlesh Jha Resdient of Village-
Barauni- 2, P.S.- Teghra, District- Begusarai. Appellant

Versus

The State of Bihar Respondent

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Appearance :

For the Appellant/s : Mr.Ram Sumiran Rai, Advocate
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 29-11-2019 Heard learned counsel for the appellant. No one
appears on behalf of the State.

The appellant is seeking to challenge the order dated 11.09.2019 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A. No. 1584 of 2019 arising out of Teghra P.S. Case No. 178 of 2019 registered for the offences punishable under Sections 147, 148, 341, 323, 504, 506, 384, 385, 379, 307 of the Indian Penal Code and Sections 3 (r) (s) of the SC/ST (Prevention of Atrocities) Act whereby his prayer for anticipatory bail has been rejected.

Learned counsel for the appellant submits that in course of investigation it has been found that the allegation of assault is against Vivek Jha. So far as this appellant is concerned, the allegation is that he had snatched away the golden chain from the neck of the informant but in course of



investigation no material has come to substantiate the allegation of snatching of the golden chain. It is further submitted that this fact has come in the supervision of the Sub-Divisional Police Officer in paragraph '15' of the case diary.

Considering the facts and circumstances of the case wherein there appears some dispute between the parties for purchase of cloth and demand of outstanding amount and the allegation against this appellant of snatching golden chain has not been substantiated in course of investigation, the impugned order dated 11.09.2019 passed by learned Special Judge, SC/ST (POA) Act, Begusarai in A.B.A. No. 1584 of 2019 arising out of Teghra P.S. Case No. 178 of 2019 in respect of appellant is hereby set-aside.

Let the appellant above named in case of his arrest or surrender within a period of four weeks from today in connection with Teghra P.S. Case No. 178 of 2019 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Begusarai, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself



available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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