

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4689 of 2018

Arising Out of PS. Case No.-293 Year-2015 Thana- VAISHALI District- Vaishali

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Randhir Chaudhary @ Pam Pam Chaudhary @ Abhay Chaudhary S/o
Sarvenath Chaudhary, R/o Vill. and P.O.- Madhopur Ram, P.S.- Vaishali, O.P.-
Belsar, District- Vaishali.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Satya Prakash Sinha

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 18-01-2019

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 12.10.2018 passed by learned Additional District & Sessions Judge-1-cum-Special Judge, Vaishali at Hajipur, in Vaishali P.S. Case No. 293 of 2015 registered under Sections 341, 447, 384, 504, 506, 34 of the Indian Penal Code and Section 3(x) of the SC/ST Act.

Informant in his written complaint has alleged that from the family of appellant he has purchased some land and thereafter they are abusing and threatening him. Allegation against appellant is that he abused him by his caste name and also used filthy language and demanded Rs. 1 lacs and also threatened to shoot him.



It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to land dispute and previous enmity. Appellant is in custody since 01.08.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with 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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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