

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4752 of 2019

Arising Out of PS. Case No.-57 Year-2017 Thana- SC/ST BETTIAH District- West
Champaran

=====

SHEKH ABDULLA @ SHEKH ABDULLAH @ SK. ABDULLAH Son of
Shekh Abbas @ Shekh Mohammad Abbas Resident of Village - Chhawani,
P.S.- Bettiah Town, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Sanjeev Kumar

For the Respondent/s : Mr.Usha Kumari 1

=====

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

ORAL ORDER

2 14-11-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 17.09.2019 passed by learned 1st Addl. District and
Sessions Judge cum Special Judge, SC/ST/POCSO, Bettiah,
West Champaran in Bettiah SC/ST P.S. Case No. 57 of 2017
registered under Sections 341, 323, 353, 504 and 506/34 of the
Indian Penal Code and Section 3(i)(r)/3(ii)(v-a) of the SC/ST
Act.

Appellant along with co-accused entering into the
office of the informant slated him in the name of his caste on not



obliging him to make his deployment as per his wish and on protest slapped him.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case over voice raised by the appellant on deployment of own man by the informant instead of appellant and others. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. There is inordinate delay of 5 days in lodging the F.I.R. without assigning any plausible explanation for the said delay.

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

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge cum Special Judge, SC/ST/POCSO, Bettiah, West Champaran in connection with Bettiah SC/ST P.S. Case No. 57 of 2017, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

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

