

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4735 of 2019

Arising Out of PS. Case No.-9 Year-2019 Thana- SC/ST District- Aurangabad

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AJIT KUMAR Son of Ram Autar Prajapati @ Ramautar Prajapat Resident of
Village - Dhanauti, P.S.- Baroon, District - Aurangabad.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Kamlendra Pd. Singh
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 29-11-2019 Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.

The appellant is seeking anticipatory bail in connection with SC/ST P.S. Case No. 09 of 2019 registered under Sections 341, 448, 504, 506/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2) (Va) of the SC/ST P.O.A. Act.

Learned counsel for the appellant submits that appellant has been falsely implicated in this case, from bare perusal of the F.I.R. itself that the entire prosecution story is false, fabricated and concocted and no such occurrence has taken place as alleged, however appellant has no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the appellant.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the appellant that the appellant has completed diploma in Engineering and is looking for a job, he has no criminal history and has been falsely implicated in this case due to rivalry of his family in the Panchayat Election in which the Bhabhi of the informant was contesting for the post of Mukhiya and the family of the appellant was supporting the opponent of the Bhabhi of the informant as also that there is no assault to the informant and further that the appellant has cooperated in course of investigation the impugned order so far as it relates to the appellant is set-aside, let the above-named appellant, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge – cum – Special Judge, SC/ST Act, Aurangabad, in connection with SC/ST P.S. Case No. 09 of 2019, subject to condition 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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