

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1448 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- SC/ST District- Muzaffarpur

Hemant Kumar (Male) , aged about 45 years, son of Shri Mahesh Prasad Singh, resident of Village- Jarang Rampur, P.S.- Belsar O.P., District- Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur
For the informant	:	Mr. N.K. Agrawal, Sr. Advocate Mrs. Usha Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 04-12-2020 Heard Mr. Ajay Kumar Thakur, learned counsel for the appellant, Mr. N.K. Agrawal, learned senior counsel for the informant and Mrs. Usha Kumari, learned Spl. Public Prosecutor appearing for the State through video conferencing.

The present appeal is directed against the order dated 09.06.2020 passed by learned 9th Additional Sessions Judge cum Special Judge (SC/ST) Act, Muzaffarpur in Muzaffarpur SC/ST P.S. Case No. 17 of 2020 registered for the offence under Section 341, 323 , 504 , 406 , 420 of the I.P.C. and Section 3 (1) (r)(s) of the SC / ST Act whereby the prayer for regular bail of the appellant has been rejected.

The allegation as per the First Information Report is that the appellant induced the informant and his family member



that he will ensure job for him in the Electricity Department as well as Anganwadi Sewika and demanded Rs. 90,000/- for the same which was paid by the informant.

Learned counsel for the appellant submits that appellant has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as appellant was having inimical term with the then D.G.P. of the State of Bihar. Learned counsel further submits that appellant is a R.T.I. activist and due to the fact that he highlighted the issue of illegal admission of the then D.G.P. in LL.B. course, he has falsely been implicated in so many cases. Learned counsel further submits that appellant is in custody since 22.05.2020.

On the other hand, learned senior counsel for the informant and State vehemently opposed the prayer for bail and submits that during the course of investigation it has come to light that the appellant cheated the informant by taking Rs. 90,000/- from the informant for providing job to him and his relative in the Government Department.

Having heard learned counsel for the parties and taking into consideration the materials available on record, I am inclined to grant regular bail to the appellant.

Accordingly, let the appellant, above named, be



released on regular bail on furnishing bail bond of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of learned Special Judge SC/ST Act,
Muzaffarpur /court concerned in connection with Muzaffarpur
SC / ST P.S. Case No. 17 of 2020.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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