

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1606 of 2020

Arising Out of PS. Case No.-420 Year-2019 Thana- NAUTAN District- West Champaran

ANIL PRASAD Son of Sheo Nath Prasad Resident of Village- Gahiri, P.S.-
Nautan, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar No 7
For the Respondent/s : Ms. Usha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

The present memo of appeal has been filed for setting
aside the orders dated 08.06.2020 passed by learned 1st
Additional District and Sessions Judge-cum-Special Judge
(SC/ST and POCSO), Bettiah, West Champaran in connection
with Nautan P.S. Case No. 420 of 2019, registered under
Sections 420/406 of the Indian Penal Code and sections 3(i)(r)
(f)/3(2)(v-a) of the SC/ST (Prevention of Atrocities) Act.

The informant alleged that appellant took Rs. 1300/-
as bribe on the pretext of providing loan within two months and
subsidy. Even after lapse of one year, neither loan was provided
nor money was returned to him. When the informant went at the



house of appellant and asked for money then he abused him by calling his caste name.

It is submitted on behalf of the appellant that appellant has been falsely implicated due to political rivalry. In the prosecution case, date and time was also not mentioned. There is vague allegation. No case under SC/ST Act is made out against the appellant.

Considering aforesaid facts, this appeal is allowed. The impugned order dated 08.06.2020 passed by learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST and POCSO), Bettiah, West Champaran is set aside.

Let the appellant above-named be released on bail 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 Additional District and Sessions-cum-Special Judge (SC/ST and POCSO), Bettiah, West Champaran, in connection with Nautan P.S. Case No. 420 of 2019.

(Prabhat Kumar Singh, J)

vinita/-

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