

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1555 of 2020

Arising Out of PS. Case No.-144 Year-2020 Thana- DELHA District- Gaya

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JITENDRA KUMAR VERMA @ JITENDRA PRASAD VERMA, Male,
aged about 40 years, S/o Ramjee Prasad Verma, R/o Mohalla- Khararpura
Durgasthan, P.S.- Delha, District- Gaya, Bihar.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant : Mr. Ramakant Sharma, Sr. Advocate and Mr.
Suman Kumar, Advocate.

For the Respondent : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the appellant is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the parties.

The matter relates to grant of anticipatory bail to the
appellant in connection with Delha P.S. Case No. 144/2020,
registered for the offences under Sections 147, 148, 149, 341,
342, 323, 114, 307, 353, 354, 386, 379, 504, 506 of the I.P.C. and
Sections 3(i)(r)(s), 3(2) (Va) of SC/ST Act.



The prosecution case, in short, is that the informant being the Assistant Electrical Engineer alongwith his team came to the house of one Ajay Kumar Tanti on 09.06.2020 at about 4.30 P.M. to check the Electrical Meter and about the alleged allegations of electricity theft, in the meantime, the petitioner came there alongwith 25 unknown persons carrying *Iron rod* in their hands and started abusing him and his team asking for ransom saying that this area belongs to him and no one can take the electric meter in this area without providing him ransom amount. It is further alleged that the petitioner badly assaulted the informant and his team members and abused them in caste indicative words and also misbehaved with one of the family members of the team.

It has been submitted on behalf of the appellant that the appellant has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the appellant. The wife of the appellant is a *Ward Councillor* and for the political reason, the present case has been instituted. Nature of injury is said to be simple. No offence under Section 307 of the I.P.C. is made out in the present case. The alleged occurrence is said to have taken place in the house of one Ajay Kumar Tanti. No occurrence is said to have taken



place at a public place. Hence, no offence under SC/ST Act is made out in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 04.07.2020, passed by learned Special Judge, SC/ST Act, Gaya in A.B.P. No.104/2020, in connection with Delha P.S. Case No. 144/2020, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya in A.B.P. No.104/2020, in connection with Delha P.S. Case No. 144/2020.

(Sudhir Singh, J)

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