

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5741 of 2019

Arising Out of PS. Case No.-769 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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RAVI KUMAR @ MAHARAJA @ RAVI SHANKAR KUMAR Son of Late
Maharaja Dilip Kumar, Resident of Mohalla - Gandhi Nagar, Gobarsahi, P.S.-
Sadar Muzaffarpur, District- Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Soni Shrivastava, Advocate

For the Respondent/s : Mr.Usha Kumari 1, Spl. PP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 26-02-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 25.11.2019 passed by Special Judge (SC/ST Act), Muzaffarpur in A.B.P. No. 3720 of 2019, arising out Sadar P.S. Case No. 769 of 2019 registered under Sections 341, 323, 354(B), 427, 379, 504, 509 and 34 of the Indian Penal Code and Sections 3(1)(r)/3(1)(8) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act,1989.

The appellant had lodged Sadar P.S. Case No. 719 of 2019 on 16.10.2019 for an occurrence dated 15.10.2019 against the uncle of the informant of this case. Thereafter, the present



case was lodged on 06.11.2019 alleging an occurrence on 15.10.2019 itself.

Submission is that since the accused of the case, lodged by the appellant, was a government servant and there was chances that he would be sent to jail for this act committed against the appellant just to pressurize present false FIR has been lodged. Appellant has got no criminal antecedent.

Considering the background of the allegation which has been suppressed by the prosecution, non-grant of protection to the appellant would lead to miscarriage of justice. Hence, let the appellant, above named in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial



jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

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