

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1383 of 2021**

Arising Out of PS. Case No.-249 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

Vijay Chaudhary S/O Radheshyam Chaudhary R/O Village- Madhopur Patahi
Pandit Tola, P.S Sadar, District- Muzaffarpur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajeev Ranjan No.II
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 06-04-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 04.11.2020 passed by learned Additional Sessions Judge 3rd -cum-Special Judge, SC/ST Act, Muzaffarpur in connection with Sadar P.S. Case No. 249 of 2020 registered under Sections 341, 386, 387, 307, 326, 506 of the Indian Penal Code and Sections 3 (i) (r) (s)/ 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he demanded Rs. 20,000/- as extortion from the informant and due to non-



fulfillment of demand he fired upon the son of the informant resultantly, son of the informant fell down in unconscious position.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. He submits that no such occurrence has taken place at the place of occurrence and real fact is that the son of the informant has taken Rs. 30,000/- from the appellant for running his business but same was not returned by him. In this regard, earlier some altercation also took place and for that reasons, the appellant has been implicated to grab his money. He further submits that appellant is languishing in judicial custody since 16.10.2020.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant, be enlarged on bail **after completion of one year in custody** on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 3rd -cum-Special Judge, SC/ST Act, Muzaffarpur in connection with Sadar P.S. Case No. 249 of



2020.

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

(Anjani Kumar Sharan, J)

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