

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2157 of 2021

Arising Out of PS. Case No.-391 Year-2020 Thana- NAUGACHIA District- Bhagalpur

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Rana Fouji @ Rana Yadav @ Rana Kumar S/O Late Ganesh Yadav R/O
Village Dhobinia, P.S Naugachia, District Bhagalpur

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Tiwary, advocate
For the Respondent/s : Mrs. Usha Kumari, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-10-2021 Heard the parties in virtual Court proceeding.

Appellant is permitted to make necessary correction in the bail petition as this appeal is against the refusal of prayer for regular bail whereas it has wrongly been typed as anticipatory bail.

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 bail vide order dated 10.02.2021 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhagalpur, in connection with Naugachia Police Station Case No.391 of 2020, registered under Sections 385/387/506 of the Indian Penal Code and Section 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Allegation is of demand of ransom on mobile call. Submission is that the appellant is a retired military personnel. For trivial dispute false allegation is there. About criminal antecedent of the appellant learned counsel submits that since the appellant lacks tolerance, due to quarrel with the neighbours, false cases were lodged.

Considering completion of investigation and the fact that the offence allegedly is triable by a Magistrate, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

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

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

(Birendra Kumar, J)

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