

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2541 of 2021**

Arising Out of PS. Case No.-4 Year-2021 Thana- KATIHAR District- Katihar

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Ravi Anand S/O Sri Dinesh Kumar Raman The Then Branch Manager Of
Erstwhile Dr. R.P. Road Branch, State Bank Of India, Dr. Rajendra Prasad
Path, P.O. And District- Katihar, Presently Posted As A Deputy Manager At
S.B.I., Katihar Bazar Branch. Katihar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Chitranjan Sinha-Sr. Advocate

For the Respondent/s : Ms. Usha Kumari-1-S.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-07-2021 Heard Mr. Chitranjan Sinha, the learned Senior

Advocate for the appellant and Ms. Usha Kumari-1, the learned

Special Public Prosecutor for the State.

The appellants have challenged the order dated
02.03.2021 passed by the learned 1st Additional District and
Sessions Judge-cum-Special Judge, Katihar in connection
with Katihar (Town) P. S. Case No.04 of 2021, instituted for
the offences under Sections 420, 384, 34 of the Indian Penal
Code and Section 3(i)(r)(s) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, 1989,
whereby their prayer for grant of anticipatory bail has been
rejected.

It has been alleged in the F.I.R. that even though



the house of the informant was taken on rent by the State Bank Branch, but because of the persistent illegal demand of the appellant and the refusal of the informant to oblige, efforts were made to vacate the house of the informant and shift the Branch to some other building.

It has been submitted that the accusation is absolutely false and on face of it does not make out any case under the SC/ST (POA) Act. It has further been submitted that the appellant himself is a member of the SC/ST community and therefore the accusation against him is absolutely unfounded. The Branch Manager is not responsible for choosing the building on rent for running the branch. This is managed by the house-keeping division of the Main Branch. For some reason or the other, if the building of the informant has been vacated and the Bank Management has shifted the branch to another building, the appellant cannot be blamed for the same.

A reading of the F.I.R., it is argued, reflects that because of this cessation of tenancy, the informant has raised such wild allegations.

No offence under any one of the sections of the I.P.C. or of the SC/ST (P.O.A.) Act can at all be said to have



been made out.

Mr. Sinha, the learned Senior Advocate has further submitted that this accusation is a misadventure and is only for the purposes of coercing the bank to continue with the tenancy.

For the reasons afore-stated, the order dated 02.03.2021, referred to above, is set-aside.

The appeal stands allowed.

The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-Special Judge, Katihar in connection with Katihar (Town) P. S. Case No.04 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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