

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1965 of 2020**

Arising Out of PS. Case No.-71 Year-2019 Thana- ADAPUR District- East Champaran

ABHISHEK KUMAR GOVINDA Son of Late BRAJESH KUMAR VERMA
Resident of Village - Chandmari, P.S.- Motihari Town, Distt.- East
Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 18-01-2021 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been preferred against the order dated 07.09.2020, passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in Adapur P.S. Case No. 71 of 2019, whereby the appellant's prayer for regular bail has been rejected.

Informant, who is Ward Member of Ward No. 3 of village Arara in the district of East Champaran, has alleged that on assurance of co-accused Anis Singh, Ranjay Singh and this appellant she had awarded work under *Nal Jal Yojna* in favour of M/s Sumanji Enterprises. The appellant is the proprietor of



said M/s Sumanji Enterprises. It is further alleged in the FIR that the work awarded to the appellant was not executed and when the informant went to the house of co-accused Anis Singh for return of the amount, she was allegedly abused and assaulted by him and his family members.

Learned counsel appearing on behalf of the appellant has submitted that even if what has been alleged in the FIR is treated to be correct, no offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act can be said to be made out against this appellant.

On perusal of the FIR, I find substance in submission made on behalf of the appellant. It has been pointed out that said Anis Singh has been granted regular bail by this Court.

Considering the facts and circumstances, in my opinion, a case for grant of regular bail is made out. The impugned order dated 07.09.2020 requires interference by this Court, which is accordingly set aside.

This appeal is allowed. Let the appellant, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned 1st Additional Sessions



Judge, SC/ST (POA) Act, East Champaran at Motihari, in
Adapur P.S. Case No. 71 of 2019.

(Chakradhari Sharan Singh, J)

Rajesh/-

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