

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3257 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- SC/ST District- Kaimur (Bhabua)

Sallauddin Khan S/o Jamaluddin Khan R/o village- Chainpur, P.S.- Chainpur,
District- Kaimur at Bhabua

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Tribhuwan Narayan, Adv.
For the Respondent/s	:	Mr. Usha Kumari 1, Spl.P.P.
For the informant	:	Mr. Vinod Kumar Seth, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-08-2021 Heard learned counsel for the parties through video conferencing.

The instant appeal has been preferred against the order dated 17.7.2021 passed by the learned Additional District and Sessions Judge 1st -cum-Special Judge, Kaimur at Bhabua whereby the prayer for bail of the appellant in a case registered under sections 420, 341, 323, 504 and 506 of the Indian Penal Code and sections 3(1)(r)(s) and 3(2)(va) of the SC and ST (Prevention of Atrocities) Act, was rejected.

As per the prosecution case, in the year 2011, the informant had given bribe of Rs.1.5 lacs to the petitioner for getting service/employment in the C.R.P.F. for himself and his brother-in-law but all he received was a forged letter of



appointment.

It is submitted by learned counsel for the appellant that the allegations as levelled in the F.I.R. are false and concocted. The appellant has been falsely implicated in the case for oblique reasons. As per the contents of the F.I.R. for an occurrence alleged to have taken place in the year 2011, the F.I.R. has been registered after nearly 10 years with no explanation for the delay. The appellant is in custody since 7.7.2021.

The appeal is opposed by learned Spl.P.P. for the State as also learned counsel appearing for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the nature of allegations as levelled in the F.I.R., together with the submissions made on behalf of the appellant, the Court is inclined to allow the appeal. The appeal is allowed and the order dated 17.7.2021 passed by the learned Additional District and Sessions Judge 1st -cum-Special Judge, Kaimur at Bhabua is set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST Case no.21 of 2021(arising out of SC/ST Bhabua P.S. Case No.9 of 2021) on furnishing bail bond



of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st -cum-Special Judge, Kaimur at Bhabua.

(Partha Sarthy, J)

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