

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4547 of 2019

Arising Out of PS. Case No.-196 Year-2019 Thana- KHAJEKALA District- Patna

Deepak Kumar Son of Shri Bhikhari Thakur Resident of Village- and P.O.-
Dhangai, P.S.- Bikramganj, District- Rohtas (Bihar), Present Address and
Clerk, Guru Govind Singh Hospital, Patna City, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Upendra Prasad Singh

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 30-11-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

Though, the informant has appeared through
Vakalatnama but nobody appears on behalf of the informant.

Learned counsel for the appellant has filed the
supplementary affidavit today in court. Let it be kept on record.

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 anticipatory bail
vide order dated 26.06.2019 passed by learned Special Judge,
SC/ST Act, Patna in connection with Khajekalan P.S. Case No.
196 of 2019 registered under Sections 354, 504, 506 of the



Indian Penal Code, Sections 3 (X) (XI) (V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 7 of the P.C. Act.

Prosecution case is that appellant never remained diligent in paying arrears of remuneration and instead used to seek undue favour from the victims. It is also alleged that on the fateful day of 29.04.2019 when the informant demanded their dues, he was abused taking name of caste and forced molestation.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. He submits that the appellant has lodged FIR against Baliram Choudhary. By way of supplementary affidavit, learned counsel for the appellant submits that allegation levelled in the complaint is totally false. On the basis of the evidence and statement made by the complainant, Additional Director Health Department conducted inquiry and has said that such type of happening never took place. He further submits that appellant bear no criminal antecedent as stated in para-3 of this petition.

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

In the facts and circumstances of the case, the



above named appellant in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Special Judge, SC/ST Act, Patna in connection with Khajekalan P.S. Case No. 196 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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