

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1287 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- SC/ST District- Patna

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MUKESH KUMAR SON OF AWADHESH PRASAD R/O VILLAGE-
FATEHPUR, P.S.- DHANARUA, DISTRICT- PATNA

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Deovind Kumar Singh, Adv.
For the Respondent/s	:	Mrs.Usha Kumari 1, APP
For the Informant	:	Mr.Mrigendra Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-04-2023 Heard learned counsel for the appellant, learned counsel
for the informant and learned Spl.P.P. for the State.

This is an appeal under section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 21.02.2022, passed by learned Special Judge, SC/ST Act, Patna, in connection with SC/ST P.S. Case No.14/2021, registered u/s 420, 504, 506, 34 of the IPC and 3(i)(r)(s)/3(2)(va) SC/ST Act.

As per the F.I.R., informant alleged that the appellant was known to him and induced him to take L.I.C. policy and took a cheque of Rs.49,000/- in his own name and the said cheque was encased on the next day but no policy paper was given to the



informant. Several demands were made for the policy paper or return of money, but the appellant misbehaved and abused the informant by taking his caste name.

It is submitted by learned counsel for the appellant that the appellant is innocent and has not committed any offence. No such occurrence, in the manner as alleged has ever taken place. Appellant has been falsely implicated in the case with frivolous allegation. It is submitted that there is no specific overt act against the appellant and it is a matter of money dispute between the parties. It is further submitted that no witness has supported the statement that the appellant was working as a L.I.C. Agent. Appellant has one criminal antecedent.

Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that there is direct allegation against the appellant to commit forgery with the appellant.

Considering the facts and circumstances of the case, since there is a money dispute between the parties, let the appellant named above, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. 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 SC/ST P.S. Case No.14/2021, 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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