

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1941 of 2023

Arising Out of PS. Case No.-272 Year-2021 Thana- BHAGWAN BAZAR District- Saran

Ramu Chaudhary @ Ramjee Chaudhary S/O Late Indradev Chaudhari R/O
Village- Shyamchak, P.S- Bhagwan Bazar, Distt.- Saran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Gauri Chaudhary S/O Late Gama Chaudhary R/O Village- Brahmpur, P.S-
Bhagwan Bazar, Distt.- Saran.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Mukesh Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-08-2023 Heard learned counsel for the appellant,

informant and learned Special P.P for the State.

The appellant has challenged the order dated

31.03.2023 passed by learned Additional Sessions

Judge-III-cum-Special Judge, SC/ST Act, Saran at

Chapra in connection with Bhagwan Bazar P.S. Case No.

272 of 2021 instituted for the offences punishable under

Sections 420, 406, 467, 468, 471, 504, 34 of the

Indian Penal Code and Section 3(1)(r)(s) of the SC & ST

(Prevention of Atrocities) Act, whereby his prayer for

being released on bail has been rejected.



The prosecution case as per F.I.R is that the accused persons including the appellant have cheated Rs. 21,50,000/- on the pretext of providing a piece of land and when the informant demanded his money back, the accused persons gave him a forged cheque signed by unknown persons and when the informant deposited in the bank then the bank returned the cheque and when the informant complained before the accused persons they abused the informant by calling caste name and gave threatening.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. There is no specific role against the appellant and the informant has not given money to the appellant. The appellant has no concern with the accused persons with whom the money transaction was done by the informant. As per F.I.R, the occurrence did not take place in public view. Hence, the provisions under SC/ST Act would not be applicable in



the case of the appellant. The appellant is in custody since 19.03.2023. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 31.03.2023.

Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 272 of 2021.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

