

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1988 of 2023

Arising Out of PS. Case No.-585 Year-2022 Thana- AMARPUR District- Banka

Sonu Kumar Mishra @ Sonu Mishra Son Of Hare Ram Mishra Resident Of
Village - Satghara, P.S. - Amarpur, Distt. - Banka

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandan Mandal Son Of Chote Mandal Resident Of Village - Satghara, P.S.
- Amarpur, Distt. - Banka

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravish Mishra
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-09-2023 Heard learned counsel for the appellant, respondent no.

2 and learned Special Public Prosecutor for the State.

2. Learned counsel for the appellants submits that he has
filed the supplementary on 30.08.2023.

3. Office is directed to find out the supplementary
affidavit and enclosed it on record.

4. This is an appeal under section 14(A)(2) 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 bail vide order dated
07.02.2023, passed by learned Additional Sessions Judge-1-
cum-Special Judge (SC/ST), Banka in connection with Amarpur
P.S. Case No. 585 of 2022, registered under Sections 406, 420,



467, 468, 471, 504, 506/34 of the IPC and Sections 3(i) (r) (s), 3(2) (va) of SC/ST Act.

5. As per FIR, there is allegation against the appellant and his father is that they took Rs. 5,00,000/- from the informant and provided a false joining letter.

6. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. He submits that the appellant is ready to pay Rs. 5,00,000/- to the informant in 12 equal monthly installments to the respondent no. 2 as stated in para-3 of the supplementary affidavit which has been filed on 30.08.2023. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

7. Considering the facts and circumstances of the case and the fact appellant is ready to return the aforesaid amount, let 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 **provisional bail for a period of 12 months** 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 Additional Sessions Judge-I-cum-Special Judge (SC/ST), Banka in connection with Amarapur P.S.



Case No. 585 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

8. On payment of entire amount, the provisional bail of the appellant will be confirmed by the learned court below.

9. Respondent no. 2 is directed to furnish his bank account details before the learned court below. If he fails to furnish his bank account details the aforesaid amount will be deposited before the learned court below which will be released in favour of the respondent no. 2 after the respondent no. 2 furnishes his bank account details.

10. The observation made in this order will not affect any way in the trial of the case.

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

(Anjani Kumar Sharan, J)

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