

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.655 of 2024

Arising Out of PS. Case No.-631 Year-2022 Thana- PAROO District- Muzaffarpur

Dayanand Jha Son Of Late Yogendra Jha Resident Of Village- Sonpur, Ps-
Katra, Dist- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Janki Devi Wife Of Jagdish Ram Resident Of Village- Kalyanpur, Ps- Paroo,
Dist- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Chandra Shekhar Sharma, Advocate

For the Respondent/s : Ms. Usha Kumari 1, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2024 Despite filing *Vakalatnama*, none appears on behalf
of the respondent No. 2.

2. Heard learned counsel for the appellant and the
State.

3. This criminal appeal has been filed against the
order dated 31.10.2023 passed by learned Special Judge, SC/ST
Act, Muzaffarpur in ABP No. 1221 of 2023 in connection with
Paroo P.S. Case No. 631 of 2022, instituted under Sections 141,
323, 504, 354, 406, 420, 506/34 of the Indian Penal Code and
Sections 3(x)(xi) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, whereby the prayer for
anticipatory bail of appellant has been rejected.



4. As per prosecution case, this appellant along with co-accused persons took her signature on different cheques for Nal Jal Yojana work. It is further alleged that the accused persons withdrew Rs. 13,51,000/- from the account of informant but did not complete the entire work. It is further alleged that on 07.01.2021, the accused persons came at the door of informant and abused her by caste name and threatened to kill husband.

5. Learned counsel for the appellant submits that from perusal of the F.I.R. it is evident that allegation of assault and abuse by caste name is against other accused persons, as such, no offence under SC/ST Act is made out against appellant. So far this appellant is concerned, he is only alleged to be one of the members who took signatures of informant on blank cheques. Appellant has already superannuated from bank on 31.12.2019 and F.I.R. has been lodged on 22.12.2022. Appellant claims clean antecedent.

6. Learned Spl. Public Prosecutor for the State opposed the bail application.

7. Considering the aforesaid facts, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge, SC/ST Act, Muzaffarpur in ABP No. 1221 of 2023 in connection with Paroo P.S. Case No. 631 of 2022.

8. Accordingly, this criminal appeal is allowed and impugned order dated 31.10.2023 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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