

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3411 of 2024

Arising Out of PS. Case No.-224 Year-2024 Thana- TARAIIYA District- Saran

Nitesh Kumar Singh Son of Haridwar Singh Resident of Vill- Patti Pachrour,
P.S.- Taraiya, District- Saran at Chapra.

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Sijanki Devi Wife of Lakhnath Manjhi Resident of Vill- Deowariya, P.S.-
Taraiya, District- Saran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Alok Kumar Alok, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-09-2024 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 04.07.2024 passed by learned Exclusive Special
Judge, SC/ST, Saran at Chapra in ABP No. 2221 of 2024 in
connection with Taraiya P.S. Case No. 224 of 2024, instituted
under Sections 379, 406, 420, 504, 506/34 of the Indian Penal
Code and Sections 3(i)(r), 3(2)(va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, whereby the
prayer for anticipatory bail of appellant has been rejected.

4. Prosecution case, in brief, is that on the alleged



date and time, when informant went to the CSP Centre of this appellant, appellant took thumb impression of informant and transferred Rs. 2 lacs in his account and assured her that he will give her the money when needed. Later, when informant demanded her money, appellant abused informant by caste name and threatened her with dire consequences.

5. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. As a matter of fact, at no point of time, there was transaction of Rs. 2 lacs in the back account of this informant and in support of the submission, appellant has annexed statement of account of informant *vide* Annexure-2 to the supplementary affidavit. F.I.R. does not disclose presence of any member of public when the incident occurred, as such, no offence under SC/ST Act is made out against appellant. 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 Exclusive



Special Judge, SC/ST, Saran at Chapra in ABP No. 2221 of 2024 in connection with Taraiya P.S. Case No. 224 of 2024.

8. Accordingly, this criminal appeal is allowed and impugned order dated 04.07.2024 is set aside with respect to this appellant only.

(Prabhat Kumar Singh, J)

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