

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1753 of 2024

Arising Out of PS. Case No.-73 Year-2023 Thana- SC/ST District- Lakhisarai

=====

Gaurav Kumar Singh @ Kunal Gaurav son of Ajay Village- Saidpur PS-
Alamanj Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Ranju Devi Bakhaury Das R/O-Rampur, P.S.-Suryagarha, District-Lakhisarai

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Rajnish Chandra, Advocate

For the Respondent/s : Mr. Binay Krishna Spl. Public Prosecutor

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-08-2025 By way of filing supplementary affidavit, learned

counsel for the appellant seeks permission for correction in the

name of Police Station of the appellant which has wrongly been

type as 'Alamganj' in place of 'Badh' in cause title of the

appeal.

2. Permission accorded.

3. Let the Police Station name of the appellant in

cause title be read as 'PS- Badh'.

4. Despite valid service of notice, none appears on

behalf of the respondent no. 2.

5. Heard learned counsel for the appellant and the

State.

6. This appeal has been filed against the order dated



19.12.2023 passed by learned Additional District & Sessions Judge 1st cum Special Judge SC/ST, Lakhisarai in ABP No. 1209 of 2023 arising out of Lakhisarai SC/ST P.S. Case No. 73 of 2023, registered under Sections 341, 323, 504, 406/34 of the Indian Penal Code and Section 3(i)(r)(s)/ 3(2)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

7. As per prosecution case, informant along with four other persons took loan from Satya Micro Finance Capital Ltd. Bank on 16.03.2023, where bank took all the documents and thumb impression and asked them to come again on 16.05.2023. When informant and others reached the bank on the alleged date, this appellant, who was the Branch Manager, gave them Rs. 5,000/- each and misappropriated rest of the loan amount and when informant and others objected, this appellant and other F.I.R. named accused persons abused them by caste name and assaulted them.

8. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. As a matter of fact, appellant was working as Entrepreneurship Development Officer (EDO) of the said company and on



03.04.2023, he has already transferred about Rs. 44,000/- each in Dakshin Bihar Gramin Bank account of informant and others. He further submits that informant and others have also deposited EMI for four months after the appellant transferred loan amount in their accounts. For the aforesaid period, they kept mum and after depositing four installments, this false case has been lodged only with a view to grab the money. Allegation of assault is general and omnibus. Moreover, it is not the case of informant that alleged incident occurred within public view, as such, no offence under SC/ST Act is made out against appellant. Appellant claims clean antecedent.

9. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

10. Considering the aforesaid facts and circumstances of the case, 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 Additional District & Sessions Judge 1st cum Special Judge SC/ST, Lakhisarai in ABP No. 1209 of 2023 arising out of Lakhisarai SC/ST P.S. Case No. 73 of 2023.

11. Accordingly, this criminal appeal is allowed and



impugned order dated 19.12.2023 is set aside with respect to
this appellant only.

(Prabhat Kumar Singh, J)

Navya/-

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

