

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 2134 of 2018

Arising Out of PS.Case No. -287 Year- 2009 Thana -AURANGABAD TOWN District -
AURANGABAD

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1. Dhiraj Prasad @ Dhiraj Kumar Prasad, Son of Ram Niwas Prasad, Resident of
Village - Kasmagarh, P.S. Gomiya, District - Bokaro (Jharkhand).

.... Appellant/s

Versus

1. The State of Bihar.
2. Dinesh Paswan, Son of Mungeshwar Paswan, Resident of Village - Singhpur,
P.S. Amba, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the
refusal of prayer for regular bail vide order dated 29.05.2018 in
Aurangabad (Town) P.S. Case No. 287 of 2009 passed by the learned
1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA),
Act, Aurangabad in connection with the aforesaid case registered
under Sections 406, 420/34 of the Indian Penal Code as well as
Section 3(x) of the SC/ST Act.

The appellant is not named in the complaint based
FIR. Allegation is against named accused that on their persuasion, the



complainant had deposited money with the referred company, however, the maturity amount was not refunded, as such, she was found cheated. Company is not an accused in this case.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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