

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3245 of 2017

Arising Out of PS.Case No. -95 Year- 2012 Thana -BATHNAHA District- SITAMARHI

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1. Kamod Mukhiya son of Mahendra Mukhiya Resident of village -
Bathnaha West, P.S. Bathnaha, District - Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pushpendra Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-12-2017 This is an appeal under Section 14(A)(2) of the

Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act,

1989 against the refusal of prayer for bail by the learned Special

Judge (S.C./S.T. Act), Sitamarhi, in Trial No.86 of 2017, arising

out of Bathnaha Police Station Case No.95 of 2012 registered

under Sections 342/341/323/354/504/34 of the Indian Penal Code

and Section 3(i) (x) of the Schedule Caste and Schedule Tribe

(Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of commission of

sexual assault.

Submission of the learned counsel for the appellant is

that the appellant has not committed any offence and has falsely

been implicated due to village politics.



Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Trial No.86 of 2017, arising out of Bathnaha Police Station Case No.95 of 2012, with 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 appeal stands allowed.

(Birendra Kumar, J)

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