

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1486 of 2017

Arising Out of PS.Case No. -119 Year- 2016 Thana -ROSHANGAANJ District- GAYA

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Fulchand Yadav, son of Bajrangi Yadav, R/o village- Makada, P.S.
Raushanganj, District- Gaya.

.... Appellant

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prithivi Raj Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 The appellant seeks pre-arrest bail in connection with Raushanganj P.S. Case No. 119/16 registered for offences punishable under sections 147, 148, 149, 341, 323, 325, 307, 354, 379, 504 and 506 of Indian Penal Penal and 3 (1) (x) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant and others is that they entered into the house of the informant and tried to outrage the modesty of her *Gotani* (sister-in-law) and also tried to set her on fire. Further, they also took away a golden chain and Rs. 50,000/-.

Learned counsel for the appellant submitted that out and out a false and fabricated allegation has been leveled against the appellant. Appellant was not present in the village at the time of occurrence rather he was in Gujarat and even allegation of outraging modesty or abusing or of assault is not against the



appellant in F.I.R.

Heard learned Special P.P. also. She also could not controvert the above submission.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let appellant surrender before the Court of Special Judge within a period of four weeks and on his so surrendering the Court below will release him on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the Court of Special Judge (SC/ST Act), Gaya in connection with Raushanganj P.S. Case No. 119/16, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court and on the event of failure on his part to appear before the Court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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