

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.80 of 2018**

Arising Out of PS.Case No. -443 Year- 2017 Thana -JOGAPATTI District- WESTCHAMPARAN (BETTIAH)

=====

1. Sunil Sah @ Sunil Kumar Sah, Son of Chote Lal Sah resident of Village-  
Dhanwatiya, Police Station- Yogapatti, District- West Champaran at Bettiah  
..... Appellant/s

Versus

1. The State of Bihar.

..... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Brij Kishor Mishra

For the Respondent/s : Mr. Binay Krishna

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

3      07-02-2018

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 by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran in Jogapatti P.S. Case No. 443 of 2017 registered under Sections 457, 376, 511, 341, 323, 324 of the Indian Penal Code as well as Section 3(n)(w)(ii) of the SC/ST Act.

According to FIR, the appellant trespassed into the house of the informant and attempted to ravish the wife of the informant.

The wife of the informant has not supported such allegation in her statement recorded under Section 164 Cr.P.C.



Considering the statement of the wife of the informant, 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

**(Birendra Kumar, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

