

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.391 of 2018

Arising Out of PS.Case No. -134 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Umesh Yadav @ Umesh Kumar Yadav Son of Kamakhya Yadav
Resident of Village- Pakariya, P.S. Chenari, District Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Advcoate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-03-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in connection with Chenari Police Station Case No.134 of 2017 registered under Sections 448/354/427 of the Indian Penal Code and Sections 3(i)(r)(f)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellant attempted to outrage the modesty of the informant.

Submission is that the case-diary would reveal that no witness has supported the allegation of informant as eyewitness.



The appellant has been falsely implicated due to village politics.

Considering the aforesaid fact, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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 the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 appeal is allowed.

(Birendra Kumar, J)

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