

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1732 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -SC/ST District- JEHANABAD

- =====
1. Jitendra Yadav @ Jitendra Kumar
 2. Dharmendra Yadav
Both sons of Kamaldeo Yadav
 3. Kamaldeo Yadav S/o. late Baldeo Yadav
 4. Urmila Devi W/o. Kamaldeo Yadav
All are residents of village- Parsauna, P.S. Barabar Tourism, District-
Jehanabad.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Syed Ehteshamuddin, Advocate
For the Respondent/s : Mr. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-05-2018

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
against the refusal of prayer for anticipatory bail by the learned 1st
Additional Sessions Judge, Jehanabad, in connection with Jehanabad
SC/ST Police Station Case No.15 of 2018 registered under Sections
341/323/504/354(d)/509/34 of the Indian Penal Code and Sections
3(i) (r)/3(2)(va) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act, 1989.

The allegation of sexual harassment to the informant as
well as subsequent assault to the grand-father of the informant is



against appellant JitendraYadav @ Jitendra Kumar.

Considering the nature of allegation, I am not inclined to enlarge appellant No.1 Jitendra Yadav @ Jitendra Kumar on anticipatory bail. Hence, prayer is refused.

The FIR reveals that when informant went to complain about the conduct of Jitendra Yadav, other appellants who are family members of appellant Jitendra Yadav, allegedly abused and assaulted her.

Submission is that earlier appellant No.1 lodged a case against the family members of the informant and just to pressurize in that case this false case has been lodged.

Considering the aforesaid facts, let the appellants, namely, Dharmendra Yadav, Kamaldeo Yadav and Urmila Devi, in the event of their 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) each 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 appellants 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 appellants.

Accordingly, the appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-05-2018
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