

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1940 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -KOPA District- SARAN

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1. Pankaj Kumar Singh @ Kali Kumar Singh, S/o Arun Singh,
2. Arun Singh S/o Late Ramadhar Singh, Both are R/o Vill.- Ramnagar Chaukhra
P.S.- Kopa, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.Amresh Kumar Sinha, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-07-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 21.05.2018 in A.B.P. No.1142 of 2018 passed by the learned Additional Sessions Judge 1st, Saran at Chapra in connection with Kopa P.S.Case No. 53 of 2018 registered under Sections 341,323,337,307,354(B),504,506/34 of the Indian Penal Code and Sections 3(i)(R)(S),(W-i)/(2)(V)a of the Scheduled Castes and Scheduled Tribes Act.

Allegation of sexual harassment to the daughter of the informant is against appellant-Pankaj Kumar Singh @ Kali Kumar Singh. The victim has supported the aforesaid allegation.



Hence, I am not inclined to enlarge him on anticipatory bail. Accordingly, his appeal against refusal of the prayer for anticipatory bail stands dismissed.

Appellant-Arun Singh is father of appellant-Pankaj Kumar Singh @ Kali Kumar Singh. When the matter was complained to Arun Singh, he and others including Pankaj Kumar Singh @ Kali Kumar Singh allegedly abused the informant by taking caste name and committed assault etc.

Learned counsel for the appellants submits that just to pressurize, the father has been falsely implicated in this case, whereas learned counsel for the informant submits that the Doctor has found injury on the person of all the three injured. Hence, prima facie offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is disclosed in the FIR.

Considering the background and nature of allegation, let the appellant No.2, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (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 conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and both bailors shall be resident of territorial jurisdiction of the learned court below and further 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, this appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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