

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1156 of 2018

Arising Out of P.S.Case No. -345 Year- 2017 Thana -SONO District- JAMUI

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1. Brahmdeo Yadav @ Brahm S/o Late Khiru Yadav, R/o Village- Kendualewar,
P.S.- Sono, District- Jamui. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-04-2018

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 bail by the learned Addl. Sessions Judge, 1st, Jamui, in connection with Sono Police Station Case No.345 of 2017 registered under Section 376 of the Indian Penal Code and Section 3(W) (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant had lodged Sono P.S.Case No. 333 of 2017 against the informant of this case for occurrence dated 15.12.2017, alleging therein that for some trivial dispute relating to grazing of crops by the animal, husband of the informant allegedly assaulted, causing injury at the head of the appellant. Thereafter, the present FIR has been lodged with allegation that appellant committed rape against the informant.



Submission is that the false allegation is there just to pressurize in the earlier case lodged by the appellant.

Considering the background of allegation as well as the fact that the appellant is in custody since 25.02.2018 having no criminal antecedent, let the appellant, above named, be released on bail on furnishing bail bond 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, with 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 appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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