

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3027 of 2018

Arising Out of PS.Case No. -102 Year- 2018 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

=====

Pintu Chaudhary, S/o Kariman Chaudhary, Resident at Village-Patriha, P.O.-Jaitpur
Kalan, P.S.-Bhagwanpur, District-Kaimur Bhabhua. Appellant/s

Versus

The State of Bihar Respondent/s

=====

Appearance :

For the Appellant/s : Smt. Kiran Kumari Sharma, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 04-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 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 order dated 19.07.2018 by the learned Additional Sessions Judge 1st -cum-Special Judge, Kaimur at Bhabua, in connection with Bhagwanpur Police Station Case No.102 of 2018 (SC/ST Registration No.90 of 2018), registered under Sections 354B/506/34 of the Indian Penal Code and Section 3(I)(r)(s)(2)(v)(3) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 which is converted into 376D, 323, 506/34 of the Indian Penal Code.

Allegation in the FIR is against co-accused Bideshi Chaudhary and three others to have sexually harassed to the informant. Appellant is not named in the FIR. However, on the basis of some viral video he is suspected to be present



there.

Submission is that the informant is a married lady and she had extra-marital affairs with co-accused Bideshi Chaudhary, which came to the knowledge of the people and that is why she had falsely implicated the co-accused as well as unknown person. The appellant has no criminal antecedent. He is in custody since 04.07.2018. Investigation of the case is already complete.

Considering the aforesaid facts, 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 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.09.2018
Transmission Date	05.09.2018

