

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3146 of 2018

Arising Out of PS.Case No. -158 Year- 2018 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

=====

Dilip Yadav son of late Laxman Yadav, R/o. Village-Ratanmala, Ward No.31, P.S.
Bagaha, District-West Champaran

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Vijay Kumar Singh No.1, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 01-10-2018

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 vide order dated 25.05.2018
passed by the learned Additional Sessions Judge-I-cum-Special Judge,
Bettiah, West Champaran, in B.P. No.1813 of 2018, arising out of
Bagaha Police Station Case No.158 of 2018, registered under Sections
458/380/354 of the Indian Penal Code and Section 3(i)(r) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

According to FIR, the appellant entered into the house
of the informant and attempted to ravish her. However, on alarm the
appellant was arrested at the spot.



Submission of the learned counsel for the appellant is that in the evening of the same date an occurrence of assault was committed by the prosecution-side and for that dispute when the appellant was returning in the wee hour of night after irrigating his field, he was apprehended and assaulted. Appellant has got no criminal antecedent. He is in custody since 14.04.2018.

Considering the entire facts aforesaid especially the period already undergone and completion of investigation, 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 impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.10.2018
Transmission Date	04.10.2018

