

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2542 of 2018

Arising Out of PS.Case No. -14 Year- 2014 Thana -SC/ST District- VAISHALI(HAJIPUR)

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1. Gaurav Kumar Singh, S/o Ram Bhawan Singh,
2. Veera Singh S/o Ram Binod Singh, Both R/o Vill.- Birpur, P.S.- Jurawanpur,
District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mrs. Anita Kumari Singh, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-09-2018

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 order dated 29.05.2018 in A.B.P. No.852 of 2018 passed by the learned A.D. J.-1st, Vaishali at Hajipur, in connection with Hajipur SC/ST Police Station Case No.14 of 2014 registered under Sections 323/341/354 of the Indian Penal Code and Sections 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For the occurrence of 20.03.2014 initially Complaint Case No.1283 of 2014 was filed on 13.05.2014, which was subsequently sent to police for registration of police



case. The delayed FIR would reveal that the appellants intercepted the informant on the way and dragged her to outrage her modesty. When she made alarm there is general and omnibus allegation against the named accused persons, who abused by taking caste name.

Submission is that false allegation is there due to earlier case lodged by the appellants' side against the informant and her family members. There is no explanation of delayed lodging of the FIR. Hence, concoction of the FIR could not be ruled out for the purpose of this appeal for anticipatory bail.

Finding substance in the aforesaid submission, let the appellants, above named, 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 impugned order is set aside and



the appeal is allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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