

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2939 of 2018

Arising Out of PS. Case No.-296 Year-2017 Thana- RAJAOLI District- Nawada

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1. Pramod Prasad @ Pintu Yadav @ Pramod Kumar, Son of Sri Munni Prasad @ Mundrika Prasad.
 2. Bipin Kumar, Son of Sri Munni Prasad @ Mundrika Prasad.
 3. Pankaj Yadav, Son of Keshar Yadav, All are resident of Village- Ganga Bigha, Police Station- Rajauli in the district of Nawada.
 4. Amit Kumar Singh @ Amit Kumar, Son of Sri Dhanushdhari Singh, resident of Village- Amawan, Police Station- Rajauli in the district of Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Navin Sharma
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 05-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 25.07.2018 passed by the learned 1st Additional Sessions Judge, Nawada in A.B.P. No.1185 of 2018, arising out of Rajauli Police Station Case No.296 of 2017 registered under Sections 3 (i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 12 of POCSO Act.

Appellant No.2, *Bipin Kumar* had lodged Rajauli Police Station Case No.295 of 2017 against the brother of the present



informant alleging therein commission of murderous assault. Thereafter, the present F.I.R. was registered for the occurrence of the same day alleging therein that appellants and others allegedly sexually harassed to the informant and her three sisters.

Considering the general and omnibus nature of allegation and background of allegation, 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

