

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3502 of 2018

Arising Out of PS. Case No.-15 Year-2018 Thana- CHANDAN District- Banka

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Ramesh Roy @ Ramesh Rai Son of Tekait Pd. Roy, resident of Village-
Kanodiya, Police Station- Chandan, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ajay Mukherjee, Adv
For the Respondent/s : Mr.Binay Krishna.SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 20.08.2018 in A.B.P. No.1013 of 2018 (arising out of Chandan P.S.Case No.15 of 2018) passed by the learned Additional Sessions Judge-1, Banka registered under Sections 376,511,504,506/34 of the Indian Penal Code as well as under Sections 3(i),(x) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the appellant allegedly attempted to ravish the informant on 15.02.2018.

Submission of learned counsel for the appellant is



that Annexure-2 is the FIR lodged by the police on 23.10.2017 against the informant with allegation that the informant was indulged in preparation of country made liquor and some raw material was seized from her house. Contention is that the informant suspected that the appellant was informer of the police which resulted in arrest of the informant of the present case. He further submits that the case diary would reveal that the witnesses had also stated on the same line that the criminal case lodged against the informant was reason behind the present false case. One of the witnesses has stated to the extent that he was also present nearby at the time of alleged occurrence but no such occurrence has taken place.

Considering the entire facts and the fact that appellant has got no criminal antecedent, let him, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 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
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