

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3811 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- MAHILA P.S. District- Sheikhpura

Chhoti Panday S/o Suresh Panday @ Guru Panday Resident of Village-
Kutauth, P.S. Barbigha in the district of Sheikhpura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 13.09.2018 passed by the learned 1st Additional Sessions Judge, Sheikhpura, in SC/ST Case No.5 of 2018, arising out of Sheikhpura Mahila Police Station Case No.1 of 2018, registered under Sections 354/354B of the Indian Penal Code, Section 8 of the POCSO Act and Section 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he caught



the informant and sexually assaulted her. Besides the victim some others have also supported the allegation. The appellant is in custody since 28.08.2018 having no criminal antecedent.

Considering the entire facts of the case, let the appellant, above named, be released on bail on **completion of five months of custody** 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
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