

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.1212 of 2018**

Arising Out of PS.Case No. -1162 Year- 2016 Thana -MUNGER COMPLAINT CASE District-  
MUNGER

=====

Anil Kumar S/o. Sri Niranjana Sah, R/o. Mohalla-Nakkinagar, P.O. Jamalpur, P.S.  
Keshopur, District- Munger

.... .... Appellant/s

Versus

1. The State of Bihar
2. Anchal Devi W/o. Sri Sanjay Tanti, R/o. Mohalla-Naya Tola, (Near Choti Keshopur) P.S. Jamalpur, District-Munger

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Aaruni Singh, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 17-07-2018**

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 vide order dated 06.01.2018 passed by the learned Additional Sessions Judge 1<sup>st</sup>, Munger, in A.B.P. No.1266 of 2017, arising out of Complaint Case No.1162(c) of 2016, registered under Sections 323/341/354/506 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based allegation would reveal that co-accused Niranjana Sao, father of the appellant, is alleged to have sexually harassed the complainant. When the complainant went to



make complain to the family members, the family members allegedly abused and assaulted. The allegation is general and omnibus.

The statement of the complainant on oath would reveal that earlier case was lodged by the appellant's side and she lodge the present case only after knowledge of the case lodged by the appellant.

Considering the aforesaid facts, let the appellant, above named, 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 bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

**(Birendra Kumar, J)**

Mkr./-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 20.07.2018 |
| Transmission Date | 20.07.2018 |

