

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3634 of 2018

Arising Out of PS. Case No.-423 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

Babla Sharma @ Srikant Sharma S/o Shatrughan Sharma, R/o Vill.- Kahuwa,
P.S.- Sangrampur, District- Munger. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Jha, Adv

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

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

Date : 10-12-2018

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 23.08.2018 in A.B.P. No.1847 of 2018 passed by the learned 3rd Additional District and Sessions Judge-cum-Special Judge, SC/ST Bhagalpur in connection with Kotwali (Adampur) P.S.Case No. 423 of 2017 corresponding to G.R.Case No.3215 of 2017 registered under Sections 376,313 & 504 of the Indian Penal Code as well as under Sections 3(i)(r),3(i)(w)(ii) and 3(i)(v)(a) of the Scheduled Castes and Scheduled Tribes Act.

The informant was in physical relation with full brother of the appellant, for the reason that brother of the appellant had promised to marry with her. When the informant came to the house of the appellant, the appellant and other family members asked her to settle the matter



after getting Rs. 10,000/- to 20,000/-.

Submission is that just to pressurize, false case has been lodged. Appellant has got no criminal antecedent.

Considering the entire facts of this case above, 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 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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