

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.3024 of 2017**

Arising Out of PS.Case No. -147 Year- 2015 Thana -PARSABAZAR District- PATNA

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1. Manish Kumar S/o Rajeshwar Singh, R/o Village- Dhibara, P.S.- Parsa Bazar, District- Patna (As mentioned in the F.I.R.) But really Manish Kumar is S/o Hari Narayan Sinha, R/o Village- Hasanpura, P.S.- Janipur, District- Patna.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Dharendra Kumar Sinha, Advocate

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

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

5      15-01-2018                      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 by the learned 1<sup>st</sup> Additional Sessions Judge, Patna, in connection with Parsa Bazar Police Station Case No.147 of 2015 registered under Sections 354/34 of the Indian Penal Code and Section 3(iii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The perusal of the F.I.R. would reveal that allegation of sexual harassment is against three named accused persons. One of the accused is Manish Kumar son of Rajeshwar Singh of village Dhibra, P.S. Parsa Bazar.

Stand of the appellant is that though he is Manish



Kumar but son of Hari Narayan Singh and resident of village Hasanpura P.S. Janipur, District- Patna. He further submits that impugned order would reveal that parentage and address of the appellant was changed in the further statement of the informant before police.

Considering the aforesaid doubtful circumstance, in my view, the appellant deserve anticipatory bail, 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 appeal stands allowed.

**(Birendra Kumar, J)**

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