

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1211 of 2018

Arising Out of PS.Case No. -17 Year- 2018 Thana -RISHIUP District- AURANGABAD

- =====
1. Rajesh Singh @ Taju, S/o Vishwanath Singh,
 2. Kundan Singh, S/o Late Pramod Singh, Both R/o Village- Karma Mishar, P.S.- Risiup, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 03-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 (A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to as the "S.C./S.T. Act") against the refusal of prayer for anticipatory bail vide order dated 23.03.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Aurangabad, in Risiup P.S. Case No.17 of 2018, registered under Sections 376, 511, 506/34 of the Indian Penal Code and Section 3 of the S.C./S.T. Act.

According to F.I.R., co-accused, *Rakesh Singh @ Bholi Singh* allegedly attempted to commit rape against the informant. When the matter was complained to the family members, the appellants threatened not to disclose the occurrence and abused and committed



assault by *lathi* etc.

Submission of the learned counsel for the appellants is that Case Diary would reveal that no witness has supported the subsequent occurrence.

Considering the aforesaid submission, let the appellants, above named, in the event of their 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/- (rupees twenty thousand) each 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 appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

