

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2090 of 2018

Arising Out of PS.Case No. -78 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

=====

1. Kamlesh Yadav Son of Bholthu Yadav resident of Village - Ushari, P.S. -
Kusheshwar Asthan, District - Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

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 bail by order dated 19.04.2018 by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Darbhanga, in connection with Kusheshwar Asthan Police Station Case No.78 of 2017 registered under Sections 341,323,376,511,504,34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellant attempted to ravish the informant. The informant has filed a petition before



the learned court below vide Annexure-2, stating therein that there is land dispute between the appellant and Adyanand Yadav and at the instance of Adyanand Yadav, she had lodged a tutored case.

Considering the aforesaid fact, let the appellant, above named, be released on bail 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 both bailors shall be resident of territorial jurisdiction of the learned court below 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
Uploading Date	03.07.2018
Transmission Date	03.07.2018

