

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.920 of 2018

Arising Out of PS.Case No. -1770 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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1. Deepak Kumar Sinha @ Deepak Sinha S/o Late Ravindra Sinha Ex
Revenue Karmchari, Araria Circle, R/o Village- Sheopuri Ward No. 9,
P.S. & District- Araria, (At present Rajaswa Karmchari, Narpatganj).

.... Appellant/s

Versus

1. The State of Bihar.
2. Asha Devi W/o Binod Paswan, R/o Momin Tola, Araria Ward No. 3,
P.S.- Araria, P.S and District- Araria.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar Alok, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2018 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 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Araria, in connection with Complaint Case No.1770-C/15 registered under Sections 147/323/354B/504 of the Indian Penal Code and Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The complaint based allegation would reveal that for land dispute, the appellant and others entered into the house of the complainant, assaulted and committed theft. Further allegation is



of outraging the modesty of the complainant.

Submission is that false implication is there and no offence under the SC/ST Act is, prima facie, made out against the appellant.

Considering the substance in the submission aforesaid, 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)

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