

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2806 of 2018

Arising Out of PS.Case No. -224 Year- 2017 Thana -PIPRA District- EASTCHAMPARAN
(MOTIHARI)

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1. Binod Kumar Sahani @ Binod Sahani S/o Ram Ekbal Sahani, R/o Vill.- Taywa
Koerigawa, P.s.- Pipra, Distt.- E. Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar No.2, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-08-2018

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 vide order dated 09.07.2018
passed by the learned 1st Additional Sessions Judge-cum-Special
Judge, East Champaran, Motihari, in connection with Pipra Police
Station Case No.224 of 2017, registered under Sections
447/341/323/307/504/34 of the Indian Penal Code and Section
3(i)(iii)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention
of Atrocities) Act, 1989.

Allegation is of commission of abuse and assault by
taking caste name of the informant. Appellant is in custody since



01.07.2018. Further allegation is of attempt to outrage the modesty of the informant.

Submission is that false allegation is there just to pressurize due to trivial dispute.

Considering the nature of dispute, 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 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 is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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