

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1941 of 2018

Arising Out of PS.Case No. -51 Year- 2017 Thana -MAHILA PS District- JAMUI

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1. Gautam Yadav S/o Rodi Yadav, R/o Vill.- Chandiha, P.S.- Jamui, District- Jamui.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun Kumar , Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 10-09-2018

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 11.05.2018 in Jamui Mahila P.S.Case No.51 of 2017 passed by the learned A.D.J.-1st , Jamui, registered under Sections 376/511 of the Indian Penal Code, Section 11,12 of POCSO Act and Section 3(i)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of sexual harassment to the victim. The victim has supported the aforesaid allegation in her statement under Section 164 Cr.P.C. that the appellant attempted to ravish her. Appellant has stated



on oath that he has got no criminal antecedent. Appellant is in custody since 16.04.2018.

Considering the entire facts of this case, let the appellant, above named, be released on bail **after completion of six months of custody** 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
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