

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3853 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- SC/ST District- Araria

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Ajay Patel @ Ajay Kumar Patel @ Ajay Kumar Mandal S/o Late Jagdish Mandal @ Jagdish Prasad Mandal, Resident of Village- Tarabari, P.S. Tarabari, District Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhijeet Gautam, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

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 vide order dated 06.09.2018 passed by the learned 1st Additional Sessions Judge, Araria, in A.B.P. No.1197 of 2018, arising out of Araria SC/ST Police Station Case No.8 of 2018, registered under Sections 323/354B/594/506/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Title Suit No.131 of 2016 is going on between the husband of the informant and appellant Ajay Patel and others. In the aforesaid background allegation is that the appellant and others came to the house of the informant and committed abuse and assault as well as attempted to outrage the modesty of the



informant.

In the background of allegation, chances of mala fide prosecution cannot be ruled out for the purpose of this anticipatory bail. Hence, 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.

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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(Birendra Kumar, J)

