

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2575 of 2018

Arising Out of PS.Case No. -12 Year- 2017 Thana -SC/ST District- BEGUSARAI

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1. Ajay Sah S/o Yogendra Sah, R/o Vill.- Kushmahaut, P.S.- Neema, Chandpura,
District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Dhar Jha, 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 12.06.2018 in Begusarai SC/ST P.S.Case No.12 of 2017 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, registered under Sections 448,376,511,379 of the Indian Penal Code and Section 3(1)(w)(R)(S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant had lodged Nimachandpura P.S.Case No.08 of 2017 against nephew of the informant of this case and others with allegation of commission of assault and



demand of ransom, which took place on 02.02.2017. The case was lodged on 05.02.2017.

Submission is that by way of retaliation, the present case was lodged on 10.02.2017 for the occurrence dated 02.02.2017 with allegation that the appellant attempted to ravish the informant while she was sleeping in her house.

Considering the background of allegation and the fact that the appellant is in custody since 20.01.2018, 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
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