

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2995 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- PIRPAINTI District- Bhagalpur

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1. Devendra Yadav @ Devendra Pd. Yadav, Son of Manki Yadav.
 2. Ranjeet Kumar Yadav @ Ranjeet Yadav, Son of Manki Yadav,
Both are resident of Village- Faujdari, P.S.- Pirpainti, Dist.-
Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-12-2018

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 06.07.2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhagalpur, in A.B.P. No.953 of 2018, arising out of Pirpainti Police Station Case No.187 of 2017, registered under Sections 341/323/354C/504/506/509/34 of the Indian Penal Code and Sections 3(i)(r)/3(2)(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Allegation against appellant No.1 is that he passed sexual coloured remarks against the informant when she was sitting at the roof of her house. When the matter was complained other family members opposed and assaulted.

Submission is of false implication as well as the fact that no specific overt act committed by the appellants has been stated nor anyone has supported before the police that the appellants had committed such act to any other female members of the village. The appellants have stated on oath that they have got no criminal antecedent.

Considering the entire facts of the case, let the appellants, above named, in the event of their 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) each 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 appellants 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 appellants.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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