

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1184 of 2018

Arising Out of PS.Case No. -37 Year- 2017 Thana -MAHILA P.S. District- SEKHPURA

- =====
1. Guddu Yadav @ Guddu.
 2. Ramun Yadav. Both Sons of Shiv Shankar Yadav @ Shankar Yadav.
Both Resident of Village- Aijhi, Police Station- Korma, District- Sheikhpura.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bipin Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-06-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, (hereinafter referred to as the "S.C./S.T. Act") against the refusal of prayer for anticipatory bail vide order dated 13.03.2018 passed in A.B.P. (SC/ST) Case No.71 of 2018, by the learned 1st Additional District & Sessions Judge, Sheikhpura, in connection with S.C./S.T. Act Case No.266 of 2017, arising out of Sheikhpura Mahila P.S. Case No.37 of 2017, registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code and Section 3(2) (va) B (R) (S) W (i) (ii) of the S.C./S.T. Act.

Considering the nature of allegation against appellant No.1, Guddu Yadav @ Guddu, who has attempted to sexually assault the daughter of the informant, I am not inclined to enlarge him on anticipatory



bail. Hence the prayer is refused.

Allegation against the appellant No.2, Ramun Yadav is similar to that of co-accused Hareram Yadav and others, who were allowed anticipatory bail by this Court in Criminal Appeal (SJ) No.3357 of 2017.

Hence, let the appellant, above named, Ramun Yadav 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 bond of Rs.20,000/- (rupees 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal is partly allowed and partly dismissed.

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

