

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2670 of 2018

Arising Out of PS. Case No.-135 Year-2018 Thana- MIRGANJ District- Gopalganj

Sachidanand Bhagat @ Sachidanand Prasad, S/o Ramchandra Bhagat, R/o
Vill.- Harkhauli, Ward No.1, P.S.- Mirganj, District- Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arbind Kumar Singh
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-10-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 28.06.2018 passed by the learned 1st Additional Sessions Judge, Gopalganj in A.B.P. No.907 of 2018, arising out of Mirganj Police Station Case No.135 of 2018 registered under Sections 341, 323, 376, 420, 504 of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The wife of the appellant namely, *Urmila Devi* filed complaint case No.823 of 2018 on 07.05.2018 against the informant and others. Thereafter, the present case was filed on 16.05.2018 for the occurrence that took place between 04.05.2018 to 10.05.2018.



The informant is a married lady and she alleges that appellant was in physical relation with her since years. Apparently, she was a consenting party to have a relationship. Other allegation are bailable offences of the Indian Penal Code.

Considering the background of allegation, 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 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

