

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3387 of 2018

Arising Out of PS. Case No.-110 Year-2018 Thana- BIHIA District- Bhojpur

-
1. Ayodhya Yadav @ Ram Ayodhya Prasad, S/o Late Sant Singh,
2. Binod Yadav @ Binod Kumar Singh S/o Ayodhya Yadav @ Ram
Ayodhya Prasad, Both are R/o Vill.- Anar, P.S.- Bihiya, District-
Bhojpur. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar, Adv

For the Respondent/s : Mr. 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 Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 09.08.2018 in A.B.P. No.1010 of 2018 arising out of SC/ST No.83 of 2018 corresponding to Bihiya P.S.Case No.110 of 2018 passed by the learned 1st Addl. Sessions Judge, Bhojour, Ara registered under Sections 342,354-B,379,504,506/34 of the Indian Penal Code and Sections 3(i)(r)(s)(w)(i),3(2) (va) of the Scheduled Castes and Scheduled Tribes Act and also Section 12 of POCSO Act,2012.

The allegation of commission of sexual harassment to the informant is against co-accused- Ras Bihari Kumar, who is son of appellant-Ayodhya Yadav @ Ram Ayodhya Prasad. Another appellant is also son of



Ayodhya Yadav @ Ram Ayodhya Prasad. Allegation against the appellants is that when the matter was complained to the appellants, they threatened.

Considering the nature of allegation against the appellants, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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 and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.12.2018
Transmission Date	06.12.2018

