

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.715 of 2019**

Arising Out of PS. Case No.-492 Year-2018 Thana- BIDUPUR District- Vaishali

RAJA KUMAR S/o Nagdev Singh R/o- Village- Khilvat, P.S.- Bidupur,
District - Vaishali.

... .. Appellant/s

Versus

THE STATE OF BIHAR.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rina Sinha
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-03-2019 Heard learned counsel for the Parties.

This is an appeal under Section 14(A)(2) of SC & ST (Prevention of Atrocities) Amendment Act, against the refusal of prayer for bail by order dated 28.01.2019 passed by learned 1 Additional Sessions Judge-1, Vaishali at Hajipur, in connection Bidupur P.S. Case No. 492 of 2018 registered under Sections 341, 323, 307, 354, 376, 511/34 of the Indian Penal Code and Section 3(1)(r)(w)(s) (i,ii) SC/ST Act and 67, 67A I.T. Act.

Informant has alleged in his written complaint that appellant outraged the modesty of his sister Neha Kumari and also tried to commit rape upon her and also uploaded her obscene photo on the Facebook and when he went at his residence to inquire he was abused and assaulted by the appellant and his family members.



It has been submitted on behalf of the appellant that he has been falsely implicated in this case. Allegations are false and concocted. FIR has been instituted after one month of the date of occurrence. Appellant has no criminal antecedent and he is in custody since 11.11.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/-(twenty thousand) 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, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the appellant.

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

(S. Kumar, J)

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