

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.179 of 2019

Arising Out of PS. Case No.-66 Year-2018 Thana- LAUKARIA District- West Champaran

Jalil Mian s/o Mahmood Mian Vill-Tinfedia Bazar,P.S-Laukariya,Distt.-West Champaran.

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 04-02-2019 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 bail by order dated **04.10.2018** passed by learned **Additional District and Sessions Judge-1st-cum-Special Judge, Bettiah, West Champaran**, in connection with **B.P. No. 3426 of 2018 arising out of Laukariya P.S. Case No. 66 of 2018** registered under Sections 323, 341 and 354(B) of the IPC, under Section 8 and 10 of POCSO Act and under Section 3(i) (w) of SC/ST (Prevention of Atrocities) Act was added.

Informant in her written complaint has alleged that on 05.08.2018 at about 10:00 A.M. appellant tried to outrage the modesty of her minor daughter and also tried to pull her in the



Sugarcane field but when she raised alarm, he fled away.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case as victim was being scolded by the appellant as she was damaging the sugarcane crop and this false case has been instituted after two days of occurrence. Appellant has got no criminal antecedent and is in custody since 08.08.2018.

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/- 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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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