

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.11 of 2019

Arising Out of PS. Case No.-337 Year-2018 Thana- KOILWAR District- Bhojpur

Raushan Kumar Pal, son of Sri Jai Prakash Pal, Resident of village -
Mokhalisha, P.S- Koilwar , Dist- Bhojpur

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prabhu Narayan Sharma
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 23-01-2019 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 27.09.2018 passed by the learned Addl. Sessions Judge-I, Ara, Bhojpur in connection with SC/ST 208/18 arising out of Koilwar P.S. Case No.337 of 2018 registered under Sections 342/504/354A of the Indian Penal Code and Section 3(1)(r)(s)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Informant is victim girl who in her written complaint addressed to the Officer-in-Charge, Police Station, Koilwar has stated that she belongs to Scheduled Caste and used to go to school daily and in the way, petitioner, Raushan Kumar Pal,



used to tease her and also one day caught her hand and prepared the video and, thereafter, started blackmailing her on the threat that he will make the video viral and, thereafter, also made the video viral and abused her by her caste name.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case only on suspicion and the allegation levelled against the appellant is concocted. It has further been submitted that there is no reliable material available to establish his participation in the alleged offence. Appellant has no criminal antecedent and he is in custody since 31.08.2018.

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)

Sanjay/-

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