

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.103 of 2019**

Arising Out of PS. Case No.-209 Year-2018 Thana- HATHAURI District- Muzaffarpur

Praveen Kumar @ Pravin Kumar Singh S/o Umashankar Singh, resident of
Village- Bhadai, P.S.- Hathauri, District- Muzaffarpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pawan Kumar Singh
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 26-03-2019 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 26.10.2018 passed by learned
11th Additional District Judge-cum-special Judge (SC/ST),
Muzaffarpur, registered under Sections 341, 323, 324, 354(A),
354(B)/504 of the Indian Penal Code read with Section 3(i)(x)
(s) SC/ST Act.

Informant has stated in her written complaint that on
10.10.2018 at about 6.30 PM when she had gone to attend the
call of nature then appellant caught her hand with bad intention
and dragged her towards him and tried to outrage her modesty
and on her raising alarm her daughter fled away towards house
and thereafter her husband and other villagers came and caught



appellant and handed over to police. There is also allegation that he inflicted knife blow on her husband.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to previous dispute between the parties. There is no injury report in the entire case diary rather appellant himself was assaulted and not injured. There is case and counter case between the parties. Appellant has no criminal antecedent and he is in custody since 24.10.2018.

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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