

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2451 of 2019**

Arising Out of PS. Case No.-86 Year-2019 Thana- PUNPUN District- Patna

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NIRANJAN RAM @ NIRANJAN KUMAR Son of Naresh Ram, Resident of
Village - Mahadipur, (Mohiuddinpur), P.S.- Punpur, Dist.- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Anuj Kumar

For the Respondent/s : Mr.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 18-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 27.04.2019 passed by learned Addl. Sessions Judge-VIII cum Special Judge, SC/ST Act, Patna in Special Case No. 142 of 2019 arising out of Punpun P.S. Case No. 86 of 2019 registered under Sections 354(A) and 354(B) of the Indian Penal Code and Section 3(1)(w) of the SC/ST Act.

While the informant was alone in her house, appellant intruding into the house of the informant tried to outrage her modesty, but on hulla made by her, he extended threatening of dire consequence to her and also extended threatening of dire



consequence to her husband on opposing the misdeed to be committed against his wife.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. There is case and counter case between the parties. Appellant is said to have tried to outrage the modesty of the informant intruding into her house while she was alone but in the written report itself, informant has stated that appellant has also extended threatening of dire consequence to her husband on preventing the commission of misdeed by him against the informant. Thus aforesaid statement of the informant is contradictory to each other and goes to rule out the prosecution case. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-VIII cum Special Judge, SC/ST Act, Patna in connection



with Special Case No. 142 of 2019 arising out of Punpun P.S.
Case No. 86/19, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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