

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4440 of 2018

Arising Out of PS. Case No.-22 Year-2015 Thana- SC/ST District- Saharsa

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Ravindra Mishra, Son of Baidyanath Mishra, Resident of Village- Nathpur
Darhi Khap, P.S. Narpatganj, District- Araria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Amarnath Jha

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-01-2019 Heard learned counsel for the parties.

Learned counsel for the appellant prays for and is
allowed to correct the name of village of appellant in the cause
title and vakalatnama.

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 25.10.2018 passed by learned Additional Sessions
Judge-1st cum Special Judge, Saharsa, in connection with
Saharsa SC/ST P.S. Case No. 22 of 2015 registered under
Sections 341, 323, 354, 379, 504/34 of the IPC and Section 3(i)
(xi) of SC/ST (Prevention of Atrocities) Act.



Informant in her written complaint has alleged of outraging her modesty by the appellant and FIR named accused and also abusing her by caste name.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to dispute between the parties. Appellant is in custody since 27.09.2018.

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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