

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4582 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- ADHAOURA District- Bhabhua (Kaimur)

Kamandal Yadav @ Kamandal Singh Son of Ramnath Yadav, R/o Village Garkey, P.S.- Adhaura, District- Kaimur at Bhabua.

... .. Appellant/s

Versus

1. State Of Bihar and Anr
2. Mamta Kumari, minor Daughter of Ramanand Singh, under guardianship of his natural guardian father namely Ramanand R/o Village- Dewari, P.S. Adhaura, District- Kaimur at Bhabua.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Tribhuwan Narayan

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 31.10.2018 passed by the learned Addl. Sessions Judge 1st, Kaimur at Bhabua in ABP No. 1486 of 2018 arising out of Adhaura P.S.Case No. 61 of 2018 registered under Sections 354, 448, 504 and 506/34 of the Indian penal Code and Sections 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Section 8 of the Protection of Children from Sexual Offences Act.

Allegation against the appellant is of outraging the modesty of the informant after entering into her house and on *hulla*, he fled away leaving his motorcycle.

Submission of learned counsel for the appellant is that



earlier before lodging of this case, a case has been lodged by the family members of the appellant for murder of his cousin and also of setting the house on fire as such the present false and concocted case has been lodged.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge 1st, Kaimur at Bhabua in ABP No. 1486 of 2018 arising out of Adhaura P.S.Case No. 61 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

