

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2711 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- DEO District- Aurangabad

Rahul Kumar, Son of Krishna Thakur Resident of Village- Sadkar, P.S.- Deo,
District- Aurangabad. Appellant.

Versus

1. The State of Bihar.
2. Manorma Devi Wife of Jaygovind Vishwakarma Resident of Village-
Sadkar, P.S. Deo, District- Aurangabad.
... .. Respondents.

Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 08-07-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The appellant seeks bail in connection with Deo
P.S. Case No. 63 of 2019 registered under Sections 354-A &
354-B/34 of the Indian Penal Code, Section 8 of POSCO Act
and Section 3 (1) (r) (s), W (i), 3 (2) (va) of the Scheduled Castes
and Schedules Tribes (Prevention of Atrocities) Act, 1989.

Appellant and one co-accused are said to have
taken the minor daughter of the informant gagging her mouth on
the terrace of Shankardayal Mehta and tried to outrage her
modesty by climbing on her person but they left the scene on
crying of the victim.

It is submitted by learned counsel for the appellant
that no such occurrence as alleged ever took place. Appellant has



been falsely implicated in the case due to land dispute as the land dispute is pending between them in the Gram Kutchery. There is an inordinate delay of five days in filing the F.I.R. without assigning any plausible explanation for the said delay. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Moreover, the parties to the case have compromised the matter.

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

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge (POSCO) Act, Aurangabad in connection with Deo P.S. Case No.63 of 2019.

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

(Prakash Chandra Jaiswal, J)

Trivedi/-

U		T	
---	--	---	--

