

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4478 of 2018**

Arising Out of PS. Case No.-115 Year-2018 Thana- DEO District- Aurangabad

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Sujeet Paswan S/o Krishna Paswan @ Krishna Ballabh Paswan, R/o Village-
Bhadokhar, P.S. Deo, Distt.-Aurangabad, Bihar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Lal Bahadur Singh

For the Respondent/s : Smt Usha Kumari No-1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 07-03-2019

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 25.10.2018 passed by the learned 1st Addl. District and Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in connection with Deo P.S.Case No. 115 of 2018 registered under Sections 147, 148, 149, 427, 434, 454 and 504 of the Indian Penal Code and Sections 3(i)(r)/3(i)(s)/3(i)(z)/3(i)(w)(i)/3(2)(v) (a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and other accused persons is that they came variously armed and assaulted the informant and also outraged her modesty.

Submission of learned counsel for the appellant is that there will be no application of Section 3 of the Scheduled



Castes and Scheduled Tribes (Prevention of Atrocities) Act in this case as appellant himself belong to Scheduled Caste category and no specific allegation has been attributed against him.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, 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) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in connection with Deo P.S.Case No. 115 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 him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

