

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3358 of 2019

Arising Out of PS. Case No.-205 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

TULASI BIND Son of Biraju Bind Resident of Village-Hargawn, P.S.-
Chainpur, District-Kaimur at Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan
For the Respondent/s : Mr. Usha Kumari 1

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

ORAL ORDER

2 14-08-2019 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 bail vide order dated 15.07.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, Kaimur at Bhabua in Chainpur P.S. Case No. 205 of 2019 registered under Sections 341, 323, 448 and 354(B)/34 of the Indian Penal Code and Sections 3(i)(r)(s)(w), 3(2)(ra) of the SC/ST Act.

Appellant along with two other named accused persons are said to have intruded into the house of the informant in the night. Appellant started pulling her leg while Ghanshyam Bind her hand and Bimal Bind started stripping off her saree and



they also slated the informant in the name of her caste. On protest made by the informant, they assaulted her by means of leg and fist.

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 petty dispute of dumping of garbage on the door of the informant by the appellant and other accused persons who happen to be next door neighbour of the informant. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. Slating the informant is said to have been made inside the house of the informant and not in public view, hence no offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent and has been languishing in custody since 06.07.2019.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the



learned 1st Addl. Sessions Judge cum Special Judge, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 205 of 2019.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

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

