

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4624 of 2019**

Arising Out of PS. Case No.-21 Year-2019 Thana- SC/ST District- East Champaran

JITENDRA YADAV Son of Late Bala Yadav Resident of Village- Ghardan,
P.S.- Sangrampur, District- East Champaran at Motihari.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma

For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

2 25-10-2019 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 anticipatory bail vide order dated 18.09.2019 passed by learned 1st Addl. Sessions Judge cum Special Judge, SC/ST Act, East Champaran, Motihari in Motihari SC/ST P.S. Case No. 21 of 2019 registered under Sections 504 and 506/34 of the Indian Penal Code and Section 3(1)(r)(s) of the SC/ST Act.

Appellant along with one other named accused slated the informant in the name of her caste on visiting temple and offering prayer and extended threatening of not allowing her



appointment on the post of Anganwadi Sevika and are mounting pressure upon her to withdraw her candidature.

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 to mount pressure upon the appellant and the co-accused and to harass them because his wife co-accused Priti Kumari happens to be aspirant of the Anganwadi Sevika. The allegation levelled against the appellant is not specific rather general and omnibus in nature. There is inordinate and abnormal delay of 18 days in lodging the F.I.R. without assigning any plausible explanation for the aforesaid delay which creates doubt about the prosecution case. Appellant has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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, SC/ST Act, East Champaran,



Motihari in connection with Motihari SC/ST P.S. Case No. 21 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

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

