

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5262 of 2019

Arising Out of PS. Case No.-330 Year-2019 Thana- PAKARIBARAW District- Nawada

MD. RAJA @ RAJA Son of Md. Islam @ Islam Rain Resident of Hospital
road Pakribarawan, P.S.- Pakribarawan, District - Nawada

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Deepak Kumar, Adv

For the Respondent/s : Mrs.Usha Kumari 1, Spl. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 03-12-2019

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 08.11.2019 in B.P. No.2772 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada in connection with Spl. (H) Case No.208 of 2019 arising out of Pakribarawan Police Station Case No.330 of 2019 registered under Sections 354(B) of the Indian Penal Code, Section 3(w)(ii)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegations against the appellant is of commission of sexual assault against the informant. Appellant has stated on oath that in fact the informant was stealing vegetables from the field of



the appellant and she was caught red handed. Hence, just to pressurize, false case has been lodged. Appellant is in custody since 12.10.2019.

Let the appellant, above named, be released on bail **after completion of investigation** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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