

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4609 of 2018

Arising Out of PS. Case No.-314 Year-2018 Thana- SIKARPUR District- West Champaran

Ramesh Sharma S/o Bhagwan Shah, R/o Village- D.K Shikarpur, P.S.-
Shikarpur, District- West Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr.Sri Sadanand Paswan (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-01-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A) (2) of SC & ST (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 12.10.2018 passed by learned 1st Additional District and Sessions-cum- Special Judge, Bettiah, West Champaran, in connection with Shikarpur P.S. Case No, 314 of 2018, registered under Sections 341, 342, 323, 354, 354(B), 354(C), 509(B), 307/34 of the Indian Penal Code, Section 3(1)(r) of the SC/ST (Prevention of Atrocities) Act.

Informant has alleged that on 28.08.2018 at 4 P.M. her minor daughter Anita Kumari had gone to attend the call of nature then F.I.R. named accused including appellant caught hold of her and took her in a sugarcane field and made video of her and uploaded on whatsapp.



It has been submitted on behalf of the appellant that he has no criminal antecedent and has been falsely implicated in this case. Petitioner is in custody since 24.08.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions :

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and their absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

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

(S. Kumar, J)

Rajiv/-

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

