

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4143 of 2018

Arising Out of PS. Case No.-19 Year-2018 Thana- DHANGAI District- Bhojpur

Raju Singh Son of Ram Ayodhya Singh, Resident of Village-Dumraon Tola,
Police Station-Dhangai, District-Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jitendra Prasad Singh
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 03-01-2019 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 01.10.2018 passed by learned Additional District and Sessions Judge-1st Ara, in **SC/ST Case No. 71 of 2018 arising out of Dhangai P.S. Case No. 19 of 2018** registered under Sections 341, 379, 376, 511 of the IPC and Section 3(2)(r) (a)/3(i)(r)(s) of SC/ST (Prevention of Atrocities) Act and Section 4 of POCSO Act.

Informant in his written complaint has alleged that appellant tried to commit rape upon her minor daughter, however, somehow she managed to escape and when they went to the house of the appellant they were assaulted and abused.



It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case. Appellant has got no criminal antecedent and is in custody since 28.06.2018.

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/- 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

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