

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No. 3719 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- ROSHANGANJ District- Gaya

Munni Lal Yadav, aged about 40 years, Son of Triveni Yadav @ Rajdev Yadav, resident of Village- Delho, Police Station- Bankey Bazar, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Neerad Parashar

For the Respondent/s : Mr. Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 07-01-2019 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 20.07.2018 passed by learned Exclusive Special Judge SC/ST Act, Gaya in connection with Raushanganj P.S. Case No. 56 of 2018 registered under Sections 457, 376, 511, 427, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code and Sections 3(i)(r)(s)(w)(i)(ii) of the SC/ST Act, Gaya.

Informant has alleged that while she was sleeping in the night with other family members, appellant entered into the house and tried to commit rape upon her and on protest he tried to flee away and when the informant and other family members went to make complaint against appellant, they were abused and



assaulted and also threatened by appellant and his family members.

It has been submitted on behalf of the that appellant is innocent and has been falsely implicated in this case and allegations are false and concocted and they have been implicated in this case as they raised objection against family and informant of being engaged in trade of illegal liquor. Injury report as enclosed are simple in nature and only bruise abrasion has been found. appellant has no criminal antecedent and he is in custody since 20.07.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with 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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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