

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.278 of 2020

Arising Out of PS. Case No.-222 Year-2019 Thana- BIRPUR District- Supaul

SONU KUMAR Son of Vijay Singh Resident of Village - Baijnathpur /
Lalpur Ward No. 5/13, P.S.- Birpur (Bhim Nagar), District- Supaul

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Patla Kumari, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-01-2020 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 bail vide order dated 24.12.2019 passed by learned Addl. Sessions Judge-I-cum-Special Judge, SC/ST Act, Supaul in connection with SC/ST Case No. 106 of 2019, arising out of Birpur (Bhim Nagar) P.S. Case No. 222 of 2019, registered under Sections 376 and 511 of the Indian Penal Code and Section 3(1)(r)(w)(i) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Accusation is that after taking the dinner in the night of 09.10.2019, the informant was sleeping in her house, while her mother-in-law Laxmi Devi was sleeping in Varandah and



her father in law Shivnarayan Ram was sleeping in the Baithaka. In the meanwhile, appellant entered in the house and tried to commit rape upon the informant by unfolding her clothes. She raised alarm then her father in law and mother in law woke up and they saw him fleeing. When her in-laws went to the house of Sonu Kumar (appellant) then father of petitioner started to abuse them.

Learned counsel appearing on behalf of appellant submits that, in fact, the appellant and informant are next door neighbour and due to land dispute, the in-laws of informant managed to implicate the appellant in the present case by lodging the present case through his daughter in law (informant). The appellant has no criminal antecedent and he is in custody since 01.11.2019 and after investigation, the Police submitted Chargesheet against the petitioner.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-I-cum-Special Judge, Supaul in connection with SC/ST Case No. 106 of 2019, arising out of Birpur (Bhim Nagar) P.S. Case No. 222 of 2019.



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

(Rajendra Kumar Mishra, J)

manish/-

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

