

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1033 of 2020

Arising Out of PS. Case No.-18 Year-2018 Thana- SC/ST District- Begusarai

Manoj Kumar Singh @ Manoj Kumar S/o Late Kamleshwari Singh @
Kamleshari Singh R/o Village- Maheshwara, Ward No. 7, P.S.- Nawkothi,
District- Begusarai.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant : Mr.Surendra Prasad Singh, Advocate
For the Respondent : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 01-06-2020 Heard learned counsel appearing on behalf of the
appellant and learned counsel appearing on behalf of the State.

This appeal is directed against the order dated
15.02.2020 passed by learned Special Judge, (SC/ST (POA)
Act, Begusarai in connection with G.R. No. 3021 of 2018
arising out of SC/ST P.S. Case No. 18 of 2018 for the offence
under Sections 341, 323, 504, 506 and 354B/34 of the Indian
Penal Code and under Section 3(i) (r)(s) (w) of the Scheduled
Castes & Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel appearing on behalf of the appellant
would submit that the appellant has no criminal antecedent and
he is in custody since 25.01.2020.

The allegation against the appellant is that on



13.07.2018 when the informant was sleeping in the verandah, on hearing noise she saw the appellant along with 4-5 unknown persons standing on the gate. It is alleged that the appellant caught hand of the informant through the grill and asked the informant to open her gate to get sexual favour. On protest, the appellant abused the informant calling her caste name and torn the blouse of the woman.

Considering the fact that the appellant has no criminal antecedent and the allegation of abusing the informant by calling caste name is not in public view, the Court is inclined to allow the appeal. Accordingly, the order dated 15.02.2020 passed by learned 15.02.2020 passed by learned Special Judge, (SC/ST (POA) Act, Begusarai in connection with G.R. No. 3021 of 2018 arising out of SC/ST P.S. Case No. 18 of 2018 is set aside. The Appeal is allowed. The appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount to the satisfaction of the learned Special Judge, SC/ST (POA) Act, Begusarai in connection with G.R. No. 3021 of 2018 arising out of SC/ST P.S. Case No. 18 of 2018, subject to the condition that the appellant shall render his service as volunteer in the District Health Centre for a period of three



months in dedicated Covid hospital. He is required to report the District Nodal Officer in the concerned region who shall utilise the service of the appellant appropriately.

(Anil Kumar Upadhyay, J)

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