

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3817 of 2019**

Arising Out of PS. Case No.-8 Year-2018 Thana- SC/ST District- Araria

RAJA BABU @ RAJ KUMAR JHA Son of Bachchu Jha Resident of Village  
- Begna Phoolbari, P.S.- Tarabari, District- Araria. At present - Ashram Road,  
Ward No. 5, P.S. and District- Araria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Abhijeet Gautam, Adv  
For the Respondent/s : Mr.Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

5      17-02-2020      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 anticipatory bail vide order dated 12.04.2019 passed by the learned 1<sup>st</sup> Additional Sessions Judge, Araria, in A.B.P. No.757 of 2019, arising out of Special (SC/ST) Case No.23 of 2018 corresponding to Araria SC/ST Police Station Case No.8 of 2018, registered under Sections 323/354B/504/506/34 of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Title Suit No.131 of 2016 is going on between the husband of the informant and co-accused-Ajay Patel and others. In the aforesaid background allegation is that the appellant and others



came to the house of the informant and committed abuse and assault as well as attempted to outrage the modesty of the informant.

In the background of allegation, chances of mala fide prosecution cannot be ruled out for the purpose of this prayer for anticipatory bail, hence, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation/trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

**(Birendra Kumar, J)**

Nitesh/-

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