

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4983 of 2019

Arising Out of PS. Case No.-265 Year-2019 Thana- BAJPATI District- Sitamarhi

Niranjan Kumar Son of Dinesh Ray Resident of Village - Laxmipur, P.S.-
Bathnaha, District- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashhar Mustafa, Advocate
For the Respondent/s : Mr.Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 18-02-2020 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 15.10.2019 passed by the learned Special Judge (S.C./S.T. Act)-cum-ADJ I, Sitamarhi, in connection with Bajpatti Police Station Case No.265 of 2019, registered under Sections 376/506/34 of the Indian Penal Code and Sections 3(i)(w-i)(w-ii)/2(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR reveals that co-accused Satrugan Kumar, with whom the informant was in talking term on mobile,



allegedly ravished her. The appellant and others were standing at some distance.

Submission is that the matter is of some affairs between the co-accused and the informant.

Perused the statement of the victim under Section 164 Cr.P.C. which contains light improvement to that made in the FIR.

Since there is no direct allegation of involvement of the appellant, 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, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

The appellant shall not leave the country without permission of the trial Court.



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

(Birendra Kumar, J)

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