

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5042 of 2019**

Arising Out of PS. Case No.-174 Year-2017 Thana- NARDIGANJ District- Nawada

1. ANIRUDHA SINGH @ ANIRUDH SINGH @ ANIRUDH PRASAD S/o Late Sakaldeo Singh R/o Village- Hariya, P.S.- Nardiganj, District- Nawadah
2. Kiran Kumari W/o Anirudha Singh @ ANIRUDH SINGH @ ANIRUDH PRASAD R/o village- Hariya, P.S.- Nardiganj, District- Nawadah
3. Juli Kumari @ July Kumari D/o Anirudha Singh @ ANIRUDH SINGH @ ANIRUDH PRASAD R/o village- Hariya, P.S.- Nardiganj, District- Nawadah

... .. Appellant/s

Versus

The State of Bihar Through The Spl. P.P. SC/ST (Prevention of Atrocities) Act. Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arun Kumar
For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 06-01-2020 This appeal has been filed against the order dated 28.08.2019 passed by the learned 1st Additional Sessions Judge, Nawada, in connection with Nardiganj P. S. Case No. 174 of 2017 disclosing offences under Sections 341, 354B of the Indian Penal Code and Section 3(i)(w) of the SC/ST Act.

As per F.I.R. the appellant no.1 has asked the informant to bring some earth for preparation of Chulha for Chhath Puja for him and it is alleged that he tried to outrage her modesty. Further allegation against the appellants no.2 and 3 that they asked her not to raise hulla.

Submission of the learned counsel for the appellants is



that the F.I.R. itself disclosed that the allegation is false and concocted. The appellant no.1 is a Teacher. Moreover, the police has not found the case true against the appellants no.2 and 3, but the learned Special Judge, has taken cognizance against them also.

Heard learned Special P.P. also, who has opposed the prayer for bail.

Having heard both sides, considering the above submissions, made above, so far as, appellants no.2 and 3 are concerned, this appeal is allowed. The impugned order dated 28.08.2019 passed by the learned 1st Additional Sessions Judge, Nawada, is set aside. Let the appellants, no.2 and 3, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction learned 1st Additional Sessions Judge, Nawada, in connection with Nardiganj P. S. Case No. 174 of 2017.

So far as appellant no.1 is concerned, he has to surrender and pray for regular bail, the same shall be considered on its own merit, without being prejudiced by order of this Court, and if, possible to be disposed of on the same day.



With the aforesaid, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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