

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5634 of 2019**

Arising Out of PS. Case No.-154 Year-2019 Thana- PHULWARIA District- Begusarai

Indrajeet Ram @ Mithu @ Mithu Ram @ Bittu Ram, Son of Tribhuwan Ram
Resident of Village - Fulwaria, P.S.- Fulwaria, District- Begusarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

2 08-01-2020 A supplementary affidavit has been filed by the

learned counsel for the appellant, which is kept in record.

Heard learned counsel for the appellant and the
learned Additional Public Prosecutor for the State.

This appeal, under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 2015, is directed against the order dated
28.11.2019 passed in Fulwaria P.S. Case No. 154 of 2019,
whereby and whereunder the learned Special Judge, Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
Begusarai, rejected the prayer for grant of bail of the appellant
in connection with the aforesaid case registered under Sections
363, 354(A), 354(B), 504 and 506 of the Indian Penal Code and



Sections 3(i)(r), (s)(w)(3)(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The persecution case, in brief, is that the informant, Sweeti Kumari, had gone to market situated at Dindayal Road for purchasing the grocery materials, where Amarjeet Ram and Indrajeet Ram (appellant), were present with motorcycle and thereafter, Amarjeet Ram forcibly took her on motorcycle by putting knife at her private part. Thereafter, Indrajeet Ram (appellant) started to move the motorcycle in west direction but due to technical fault, motorcycle could not proceed and thereafter, anyhow informant came to her house and narrated the incident to her father. When her father went at the house of petitioner and made complaint but her father was abused denoting his caste name "Julaha". At that time, petitioner came there and caused injury through butt of the pistol at the head of her father.

Learned counsel for the appellant submits that, in fact, there was love affairs in between Amarjeet Ram, brother of the appellant, and informant and when father of the informant came to know this fact, the appellant being the brother of Amarjeet Ram, has falsely been implicated in the present case on instigation of father of the informant. It is further submitted



that appellant is in custody since 10.11.2019. Further submission is that regarding the same occurrence, father of the informant has also lodged Fulwaria P.S. Case No. 178 of 2019 on 10.12.2019.

Having considered the facts and circumstances of the case, the impugned order is set aside and this appeal is allowed.

Let the appellant, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Begusarai. in connection with Fulwaria P.S. Case No. 154 of 2019. Out of two sureties, one surety must be the close relative of the appellant.

(Rajendra Kumar Mishra, J)

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