

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.665 of 2020**

Arising Out of PS. Case No.-314 Year-2015 Thana- LAKHISARAI District- Lakhisarai

GULSHAN KUMAR @ GULSHAN MANDAL Son of Dahin Mandal
Resident of Village - Kachhiyara, P.S. - Lakhisarai, District - Lakhsarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Parmanand Pd. Nr. Sahi
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 05-03-2021 Heard both sides.

The appellant filed this appeal under Section 14(A)(2) of the S.C./S.T. Act against the order dated 22.01.2020 passed by learned Additional Sessions Judge I-cum-Special Judge, S.C./S.T. Act, Lakhisarai by which the anticipatory bail of the appellant has been rejected in Lakhisarai P.S. Case No.314 of 2015(S.C./S.T. Case No.12 of 2018) registered under Sections 341, 323, 354 and 34 of the Indian Penal Code and under Section 3(i)(x)(xi) of the S.C./S.T. Act.

The learned counsel for the appellant submits that four persons are named in the F.I.R. and all the four persons are alleged to have made an attempt to outrage the modesty of the victim but the three persons namely, Rajeev Mandal, Mithilesh Mandal and Gulli Mandal have already been granted



anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.09.2019 passed in Cr. Appeal(SJ) No.3931 of 2019. The case of the appellant stands on the same footing.

Learned Special P.P. did not dispute the fact.

Taking into consideration the facts aforesaid and the fact that similarly situated three accused persons have already been granted anticipatory bail, the appeal is allowed, the order dated 22.01.2020 is set aside and let the appellant, above named, in the event of his arrest or surrender within a period of four weeks be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I-cum-Special Judge, S.C./S.T., Lakhisarai in connection with Lakhisarai P.S. Case No.314 of 2015(S.C./S.T. Case No.12 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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