

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1201 of 2020

Arising Out of PS. Case No.-44 Year-2017 Thana- SC/ST District- Jehanabad

=====

NAGMANI PRASAD @ NAGMANI YADAV Son of Late Shiv Nandan
Yadav Resident of Village - Gopal Bigha, P.S.- Ghosi, District - Jehanabad

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Pramod Kumar

For the Respondent/s : Mr.Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-02-2021 Learned counsel for the appellant is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the appellant and learned Special P.P. for the State.

The matter relates to grant of anticipatory bail to the appellant in connection with a case registered for the offences under Sections 323, 341, 354(B), 379, 504 of the Indian Penal Code and Sections 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989.

The prosecution case, in short is that the appellant abused the informant by taking her caste name and also assaulted caught her and torn her blouse and assaulted her with fists and slaps.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellant. The appellant



has falsely been implicated in the present case. The alleged occurrence is said to have taken place due to petty reason. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellant is named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 03.12.2019, passed by the learned 1st Additional Sessions Judge, Jehanabad vide A.B.P. No.1540 of 2019 in connection with Jehanabad SC/ST P.S. case No.44 of 2017, is set aside. The criminal appeal is allowed.

Accordingly, the appellant, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Jehanabad in connection with Jehanabad SC/ST P.S. case No.44 of 2017.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

