

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3907 of 2021**

Arising Out of PS. Case No.-344 Year-2021 Thana- SHERGHATI District- Gaya

Vakil Kumar @ Wakeel Kumar S/O Raj Kumar Yadav R/O Village-Jhaur, P.S-
Sherghati, District-Gaya

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Javed Jafar Khan, Adv.

For the Respondent/s : Ms. Usha Kumari 1, SPP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 14-12-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 10.08.2021 passed by learned Special Judge, SC/ST Act, Gaya in connection with Sherghati P.S. Case No. 344 of 2021 registered under Sections 341, 323, 354 (B), 504/34 of the Indian Penal Code and Sections 3 (i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he entered inside the house of informant and tried to forceful outrage the modesty of his daughter. On objection by the victim, the appellant torn her cloths due to which she became unveiled.



It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. He submits that matter has been compromised between the parties out of their free and sweet will and a compromise petition has been filed before the court below. He further submits that appellant bears no criminal antecedent and he is languishing in judicial custody since 27.07.2021.

Learned Spl. PP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is compromise between the parties, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Gaya in connection with Sherghati P.S. Case No. 344 of 2021.

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

(Anjani Kumar Sharan, J)

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