

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5389 of 2023**

Arising Out of PS. Case No.-381 Year-2023 Thana- TEKARI District- Gaya

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GUDDU KUMAR @ AJAY PRASAD SON OF LATE GAURI
PRASAD@LATE GAURI RAM@LATE GAURI SHANKAR RAM
RESIDENT OF VILLAGE - SINGHAPUR P.S. TEKARI DISTRICT GAYA

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. MANJU DEVI WIFE OF VIJAY CHAUDHARI RESIDENT OF VILLAGE
- SINGHAPUR P.S. TEKARI DISTRICT GAYA

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-06-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Special P.P. for the State submits that in
compliance of the order dated 12.01.2024, the informant was
communicated through the Superintendent of Police
concerned to appear before this Court, but in spite of that
nobody entered appearance on behalf of respondent no.2.

3. 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 for bail vide order



dated 18.10.2023 passed by learned Special Judge, SC/ST, Gaya, in connection with Tekari P.S. Case No.381 of 2023, registered under Sections 447, 448, 341, 323, 379, 504, 506 and 354/34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

4. As per the FIR, the appellant entered into the house of the informant and assaulted her by legs and kicks, and also tried to outrage her modesty.

5. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. There is no specific overt act against the appellant. Appellant has been languishing in custody since 20.08.2023

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

7. Considering the period of custody of the appellant, the above named appellant is directed to be released 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, Gaya, in connection with Tekari P.S. Case No.381 of 2023.

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

(Anjani Kumar Sharan, J)

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