

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2068 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -SC/ST District- PATNA

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1. Nikhil Priyadarshi, S/o Krishna Bihari Prasad Sinha, resident of Plot No.11, Bisheswaraya Nagar, Bailey Road, Patna, P.S.- Rupaspur, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramakant Sharma, Sr. Advocate,
Mr. Shama Sinha, Adv.

For the Respondent/s : Mr. Sri Dilip Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 23-08-2017 The appellant seeks regular bail in connection with SC/ST P.S. Case No. 26 of 2016, registered for offences punishable under Sections 354, 354A(i)(ii)/506/34 of the Indian Penal Code, Section 3 of POCSO Act and Section 3(1)(r)(s) of SC/ST (POA) Act and subsequently Section 376 of Indian Penal Code and Sections 3(1)(w), 3(2)(va) was added.

It has been submitted on behalf of the appellant that though the allegation has been made against the appellant, however, subsequently, a development has taken place and informant in this case has agreed to marry with the appellant and since an amicable settlement has been reached between the parties, therefore, he may be allowed the privilege of bail.



Heard learned Special P.P. as well as learned counsel for the informant, he has also not controverted the aforesaid facts.

Having heard both sides, considering the facts and circumstances of the case and submission of parties, let appellant above named, be released on provisional bail for a period of three months on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Patna, in connection with SC/ST P.S. Case No. 26 of 2016, during which period, if the parties so desire may solemnized the marriage with each other. The provisional bail granted to the appellant shall be subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

It is made clear that once the period of three months expire, the appellant will have to surrender before the Court below for facing the trial and, thereafter, he may renew his prayer for bail before the Trial Court, itself, which will be considered by the Trial Court on the basis of materials available on record.

(Vinod Kumar Sinha, J)

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