

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2116 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -SC/ST District- SHEOHAR

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Chuman Singh, son of Binda Singh, R/o Village-Khajepur, P.S.-Tariyani,
District-Sheohar

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-10-2017 Heard learned counsel for the appellant.

This appeal has been filed for bail in connection with SC/ST (Sheohar) P.S.Case No. 06 of 2017 registered for the offences punishable under Sections 376, 341, 323, 504, 506 of the Indian Penal Code and 8 of POCSO Act, including 3(i)(s) (u) (w)(i) (iii) (v) (a) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 29.6.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Sheohar.

Allegation against the appellant is of outraging modesty of the informant, who is minor.

Submission of learned counsel for the appellant is that charge sheet has been submitted under Section 354B and other sections of the IPC and he is in custody for four months. Further submission is that the parties have settled the dispute outside court.

Heard learned Special P.P., who has opposed the prayer



for bail on the ground that the offence is not compoundable.

Having heard both sides and in the facts and circumstances of the case, the appeal is allowed and the impugned order is set aside.

Let the appellant, above named, 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 Additional Sessions Judge-I-cum-Special Judge, Sheohar, in connection with SC/ST (Sheohar) P.S.Case No. 06 of 2017, G.R.No. 75 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) Appellant shall co-operate in trial and appear on each and every date fixed in court and failure to appear on two consecutive dates without any genuine reason or without permission of court, his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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