

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.798 of 2018

Arising Out of PS.Case No. -265 Year- 2017 Thana -DINARA District- SASARAM (ROHTAS)

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1. Chandan Kumar Roy,
2. Subhash Kumar, Both sons of Mahendra Roy,
3. Sunil Kumar, Son of Chunmun Singh, All residents of Village- Sarna, P.S.-
Dinara, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Adv

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in connection with Dinara Police Station Case No.265 of 2017 corresponding to Register Case No.213 of 2017 registered under Sections 366(a)/34 of the Indian Penal Code, and Section 3(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The victim has alleged Gang rape by the appellants and others.



Submission of the learned counsel for the appellants is that the victim is aged about 15-18 years. In the event of gang rape, some visible injury should be there which the Doctors have not found.

At this stage, the victim cannot be disbelieved for the aforesaid reason. Hence, I am not inclined to enlarge the appellants on bail.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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