

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.684 of 2018

Arising Out of PS.Case No. -201 Year- 2017 Thana -KARJA District-MUZAFFARPUR

- =====
1. Sonu Kumar Son of Tribhuwan Singh, Resident of Village-Madan Chhapra, P.S.-Paro, District-Muzaffarpur.
 2. Jhajru Paswan @ Bhagho Paswan @ Bhagdeo Paswan, Son of Late Punit Paswan, resident of Village+ P.S.-Karja, District-Muzaffarpur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ritesh Kumar Narain Singh, Adv.

For the Respondent/s : Mr. Smt Usha Kumari No-1, SPP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-03-2018

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 8th Additional Sessions Judge-cum-Special Judge S.C./S.T., Muzaffarpur, in connection with Karja Police Station Case No.201 of 2017 registered under Section 376(D) of the Indian Penal Code and Section 2(i)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of commission of rape against the informant.

Submission of the learned counsel for the appellants is that the victim did not support the aforesaid



allegation in her statement under Section 164 Cr.P.C and after investigation, the police has not sent up the appellants for trial due to lack of evidence.

Considering the aforesaid submission, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand)each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the appellants shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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