

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.158 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -GOPALPUR District- PATNA

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Vikash Kumar @ Trackar S/o Ram Swarath Rai, R/o village- Bairiya, P.S.-
Gopalpur, District- Patna (Bihar).

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 16-02-2018

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 Additional District and Sessions Judge-I-cum-Special Judge POCSO Act, Patna, in connection with Special Case (POCSO) No.98 of 2017, arising out of Gopalpur P.S.Case No.93 of 2017 registered under Sections 363/366A of the Indian Penal Code and Section 7/8 of POCSO Act as well as Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and other co-accused is of abduction and commission of attempt to outrage the modesty of the victim who has supported the



aforesaid allegation in her statement under Section 164 Cr.P.C. The appellant is in custody since 06.07.2017. Similarly situated some other co-accused were allowed bail by this Court for the reason that the charges were already framed and the trial was not proceeding.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) 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 appellant 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 appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

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