

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.98 of 2018

Arising Out of PS.Case No. -17 Year- 2017 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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1. Sanjay Kumar Rai, Son of Late Jagarnath Rai, Resident of Village-
Kanti Kasba, Ward No.9, P.S.- Kanti, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pradeep Kumar Sinha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 05-03-2018

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 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), Muzaffarpur, in connection with Kanti (Muzaffarpur) Police Station Case No.17 of 2017 registered under Sections 376/504/506/34 of the Indian Penal Code, Section 4 of the POCSO Act and Sections 3(1)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of forceful physical relation on the pretext of marriage. The victim is informant of this case.



Submission is that the allegation is not corroborated by any independent evidence or medical report. The appellant is in custody since 07.09.2017.

Considering the entire facts aforesaid, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused for the present. The learned trial Court is directed to expedite the trial and conclude the same within six months, failing which the appellant would be at liberty to renew the prayer for bail before the trial judge itself, who shall pass a reasoned order.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

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