

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.4054 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- KODHOBARI District- Kishanganj

Hussain Alam, S/o Jasim Alam @ Jasimuddin, Resident of Village- Ward o-15
Chakia Ghat, Singhiya Sultanpur, Ward No-15, P.S. & District- Kishanganj.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Diwakar Sinha, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 06-12-2018

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 order dated 07.08.2018 in Special Case No.20 of 2018 arising out of Korobari P.S.Case No.10 of 2018 passed by the learned Special Judge (S.C./S.T. Act), Kishanganj, registered under Section 366(A) of the Indian Penal Code and Section 3(1)(r)(s)(u) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The statement of the victim girl recorded under Section 164 Cr.P.C. would reveal that she had love affairs with the appellant and she had called the appellant and went away alongwith the appellant.

Considering the statement of the victim



girl, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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