

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4467 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- SC/ST District- Katihar

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Bipot Yadav @ Deepak Yadav Son of Fadera Yadav @ Logen, Resident of
Village – Bhokchamari, P.S. Barsoi, Distt. - Katihar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Helal Ahmad

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 11.10.2018 in Katihar Barsoi SC/ST P.S. Case No. 17 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Katihar in connection with the aforesaid case registered under Sections 376, 511, 379/34 of the Indian Penal Code as well as Section 3(1)(s)(r)(w)(i) of the SC/ST Act.

Though allegation against the appellant is of forcefully taking away the complainant, who is a married lady, from her house to the field side and attempt to ravish her.



However, submission is that the matter is of some affairs between the two because she did not make any protest whereas other family members were also there in the house. Appellant is in custody since 01.10.2018. Investigation of the case is already complete.

Considering the facts of this case, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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