

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.74 of 2018

Arising Out of PS.Case No. -509 Year- 2017 Thana -PURNEA SADAR District- PURNIA

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1. Navneet Kumar @ Navneet Bishwas Son of Jitendra Bishwas, Resident
of Village-Rambagh, P.S. Sadar, District-Purnia.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 07-02-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned 1st Additional Sessions Judge-cum-Special Judge, Purnia in Special SC/ST Case No. 220 of 2017 arising out of Purnia Sadar P.S. Case No. 509 of 2017 registered under Sections 376/34 of the Indian Penal Code as well as Section 3(iii)(xii) of the SC/ST Act.

The informant has alleged that the appellant and co-accused Gopal Biswan, allegedly, committed rape against her.

Submission is that during trial the informant was examined as P.W.1 and she has not alleged that anyone had ravished her.



Considering the statement of the victim during trial produced along with the supplementary affidavit and fate of the trial, 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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