

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 957 of 2018

Arising Out of PS.Case No. -40 Year- 2017 Thana -MAHILA P.S. District- NAWADA

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Binod Kumar Yadav, Son of Kapildeo Yadav @ Kebal Yadav, Resident of Village
- Dhonra, P.S. Dhamoul, District - Nawada.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-06-2018

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 District & Sessions Judge-cum-Special Judge, Nawada in Spl. (H) Case No. 650/2017 arising out of Mahila P.S. Case No. 40 of 2017 registered under Section 376 of the Indian Penal Code as well as Section 3(2)(va) of the SC/ST Act.

Allegation against the appellant is of commission of rape against informant who is a married lady. The appellant is in custody since 23.02.2018.

Submission of the learned counsel for the appellant



is that a compromise petition has been filed in the court below vide Annexure-2 wherein the informant had stated that she had gone to ease in the field of the appellant and for that dispute, the occurrence of abuse and assault had taken place and infuriated by that she lodged the present case.

Considering the aforesaid material, 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, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Sanjeev

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	23.06.2018
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