

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1303 of 2018

Arising Out of PS.Case No. -58 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

=====

1. Lachho Devi, Wife of Devan Singh Resident of Village-Patraha, P.S.-Chautham,
District-Khagaria.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Binod Kumar, Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

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 26.03.2018 in Special SC/ST Case No.255 of 2017 passed by the learned Addl. Sessions Judge-1st, Khagaria in connection with Chauttam Police Station Case No.58 of 2016 registered under Sections 363,366A,341,323,504/34 of the Indian Penal Code and Section 3/4 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that she had induced the minor daughter of the informant to go with her and thereafter she was missing. The victim girl in her statement under Section 164 Cr.P.C., though has alleged inducement by the appellant and co-accused Rajeev Singh but in the



subsequent part of her statement, she stated that the appellant stayed in the village and Rajeev Singh took her to Delhi, where he kept her for two months and was in physical relation with her. The statement of the victim reveals that the matter is of some affairs between victim and co-accused-Rajeev Singh, as she never made any protest or resistance while going to Delhi alongwith co-accused-Rajeev Singh or staying with him.

Considering the nature of allegation, 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
Uploading Date	24.07.2018
Transmission Date	24.07.2018

