

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3030 of 2018

Arising Out of PS.Case No. -230 Year- 2012 Thana -KANTITHARMAL POWER District-
MUZAFFARPUR

=====

1. Dilip Kumar, Son of Shri Ajay Rai, resident of Village Kanti Station Tole,
P.S.- Kanti, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Pradhan Murli manohar Prasad, Adv
Mr. Raju Kumar Goswami, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 01-10-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
against the refusal of prayer for bail vide order dated 19.07.2018
passed by the learned 11th Additional Sessions Judge-cum-Special
Judge (S.C./S.T. Act), Muzaffarpur, in connection with Kanti Police
Station Case No.230 of 2012, registered under Sections
341/323/376/504 of the Indian Penal Code and Section 3(x) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

Appellant allegedly ravished to the informant, a lady



aged about 25 years.

Submission of the learned counsel for the appellant is that appellant is in custody since 19.07.2018. Appellant is a student of intermediate class. There is a big difference of age between the appellant and the informant. No other eyewitness has supported the allegation except son of the informant, who was there. Medical evidence does not corroborate the aforesaid fact. The supervising authority has found the allegation untrue.

At this stage there is nothing to disbelieve the informant especially when the law is well settled that to seek for corroboration in the matter of victim of rape would amount to insult to the womanhood.

Hence, I am not inclined to enlarge the appellant on bail. The learned trial Court is directed to expedite the trial.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.10.2018
Transmission Date	04.10.2018

