

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3103 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- SARSI District- Purnia

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Md. Gayas @ Md. Bayas, S/o Riyaz, Resident of Village- Dumaria, Refujee
Tola, Sarsi, P.S.- Sarsi, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajit Ranjan Kumar
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-09-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 13.07.2018 passed by the learned Special Judge, S.C./S.T. (P.O.A.) Act, Purnea in Sarsi Police Station Case No.65 of 2018 registered under Sections 366(A)/34 of the Indian Penal Code as well as Section 3(i)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is of inducement to the minor daughter of the informant to go with him. The victim in her statement under Section 164 of the Code of Criminal



Procedure alleged that she was taken away by three named accused persons, including the appellant.

Submission is that matter is of love affairs.

There is no material to substantiate the claim of love affairs with the victim, who is a minor. The appellant is in custody since 19.05.2018.

Considering the nature of allegation, let the appellant, above named, be released on bail *after completion of seven months of custody, if the trial is not concluded with the aforesaid period*, 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.

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

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

