

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3119 of 2018

Arising Out of PS.Case No. -70 Year- 2017 Thana -FULKAHA District- ARRARIA

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1. Chandan Jha @ Chandan Kumar Jha, S/o Lambodar Jha, Resident of Village-
Balua Bazar, P.S.- Balua Bazar, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gopal Kumar Jha, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-09-2018

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 vide order dated 10.07.2018
passed by the learned 1st Additional Sessions Judge-cum-Special
Judge, Araria, in Special SC/ST Case No.92 of 2018, arising out of
Fulkaha Police Station Case No.70 of 2017, registered under Sections
363/366A/34 of the Indian Penal Code and Section 3(2)(v) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

The statement of the victim girl, recorded under
Section 164 Cr.P.C., would reveal that the matter is of some previous



affairs with the appellant and she had gone along with the appellant on receiving mobile call from the appellant.

Considering the aforesaid material, 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 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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