

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3584 of 2018

Arising Out of PS. Case No.-342 Year-2018 Thana- JAHANABAD District- Jehanabad

Arvind Kumar S/o. Ram Saran Yadav R/o. Village-Khalispur, P.S. Kako,
District- Jehanabad

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dharendra Kumar Sinha, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 26-11-2018

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 24.07.2018 passed by the learned Additional Sessions Judge 1st, Jehanabad, in connection with Jehanabad Police Station Case No.342 of 2018, POCSO Trial No.17 of 2018, registered under Sections 376/511 of the Indian Penal Code and Sections 3(1)(r)(s)(w)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, Section 8 of the POCSO Act and Section 66E of the Information and Technology Act.



The appellant is a relative of one Komal, the friend of the victim girl. On one occasion, the appellant asked the victim to accompany him on the motorcycle to go to see Komal. On the way, at a lonely place, the appellant started physically harassing the victim. In the meantime, several others came there. They also indulged in the same act of disrobing the victim. Some of the miscreants created videography of the incident and the same was uploaded on the social media, which was news of those days.

Submission of the learned counsel for the appellant is that appellant is in custody since 05.05.2018. The report of the trial-judge would reveal that the case is at the stage of supply of the police paper to the accused persons. Subsequent, conduct of the appellant that he called for clothes for the victim and thereafter she was left on the roadside of her house would show the bona fide of the appellant.

Considering the nature of allegation against the appellant, I am not inclined to enlarge the appellant on bail for the present. Hence, the prayer for bail is refused. Learned trial Court is directed to ensure conclusion of the trial within six months, failing which the appellant would be at liberty to renew



the prayer before the learned Court-below itself who shall pass the reasoned order.

The District Judge, Jehanabad, shall ensure that police paper is ready for supply to the appellant and other co-accused within ten days.

Let a copy of this order be communicated to the District Judge, Jehanabad.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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