

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3539 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -FATUHA District- PATNA

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1. Bachcha Rai @ Baccha Rai @ Bachchan Rai S/o Late Lakshmi Rai, R/o
Village- Sarwahanpur, P.S.- Fatuha, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Parashuram Singh

For the Respondent/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-01-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned Special Judge (POCSO), Patna in Special Case No. 93 of 2017 arising out of Fatuha P.S. Case No. 214 of 2017 registered under Sections 376, 511, 354, 506, 504/34 of the Indian Penal Code, Section 3(i)(r) of the SC/ST Act as well as Section 8 of the Protection of Children from Sexual Offenses Act, 2012.

The appellant is in custody since 30.08.2017 with allegation that along with other co-accused, he attempted to open the clothes of the informant with intent to commit rape against her.

Considering the nature of allegation and period



already undergone, let the appellant, above named, be released on bail on furnishing bail bonds 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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