

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.700 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -NARHAT District- NAWADA

=====

1. Banti @ Banti Kumar, S/o Late Ramswrup Prasad, Resident of village-
Ghangawan, P.S.- Sitamarhi (Narhat), District- Nawadah.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sanjiv Sharan

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-03-2018

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 1st Additional Sessions Judge, Nawada in Spl. (POCSO) Case No. 39 of 2017 arising out of Narhat (Sitamarhi) P.S. Case No. 182 of 2017 registered under Sections 376D of the Indian Penal Code, Section 4 of the Protection of Children from Sexual Offenses Act, 2012 as well as Section 3(1)(r), 3(1)(w) of the SC/ST Act.

Submission of the learned counsel for the appellant is that allegation against the appellant is similar to co-accused Anuj Kumar who has already been allowed regular bail by this Court vide order dated 22.03.2018 passed in Cr. Appeal (SJ) No. 554 of 2018. The matter is of love affairs between the



informant and co-accused Rohit Kumar. Allegation of commission of rape is against co-accused Rohit Kumar.

Considering the aforesaid fact, let the appellant, above named, be released on bail 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 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)

Kundan/-

U		T	
---	--	---	--

