

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4451 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

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Vinay Patel, S/o Shri Ramji Raut @ Ramji Patel, Resident of Village-
Mehadia, P.S.- Chanpatia, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Saket Tiwary, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 13-12-2018

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 04.10.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, West Champaran at Bettiah, in B.P. No. 3622 of 2016, arising out of Chanpatia SC/ST Police Station Case No.39 of 2018, registered under Sections 376/493/341/323/504/506 of the Indian Penal Code, Section 4/6 of the POCSO Act and Section 3(i)(r)(w)(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Submission is that subsequent to the filing of the FIR, the parties have already married and they are parents of a child.

Allegation was of physical relation on the pretext of marriage.

Considering the aforesaid fact, 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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