

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1332 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- GOGRI District- Khagaria

Sushant Kumar @ Chiku, Son of Sri Navin Jha, resident of Village Borna,
P.S. Gogari, District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravi Ranjan

For the Respondent/s : Mr. Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-05-2018 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This is an appeal under Section 14 A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against refusal of the prayer for bail in connection with Gogari P.S. Case No. 60 of 2018 registered under Sections 354A, 448 of the Indian Penal Code and Section 12 of the POCSO Act and Section 3(1)(w)(i) of the SC/ST (Prevention of Atrocities) Act.

In the written report it is alleged while the daughter of the informant was sleeping in the room this petitioner tried to outrage her modesty. She raised alarm then father of the victim girl got awake. The information was given to Sarpanch Choudhary, Mukhiya and other respectable persons and ultimately this petitioner was handed over to the police.

The victim girl has given her statement under Section 164



Cr.P.C., wherein, it is stated that victim girl wanted to perform marriage with this appellant. The parents of appellant refused to perform marriage. The victim girl has stated her age to be 17 years. The Court has assessed her age as 17 years. From the statement of the victim girl it is apparent that she has levelled general allegation that petitioner attempted to outrage her modesty.

Appellant is in custody since 27.02.2018.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I Khagaria, in connection with POCSO Case No. 5 of 2018 arising out of Gogari P.S. Case No. 60 of 2018, subject to the condition that both the bailors should be the close relative of the appellant.

Accordingly the impugned order is set aside and the appeal stands allowed.

(Sanjay Priya, J)

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