

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 2403 of 2018

Arising Out of PS.Case No. -6 Year- 2017 Thana -ISHOPUR District- BHAGALPUR

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1. Rakesh Mahto @ Rakesh Kumar, S/o Pashuram Mahto @ Parshuram Mahto,
R/o Vill. - Hardeo Chak, Mirjagaon, P.S. - Ishipur Barahat, District - Bhagalpur.
.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 31-07-2018

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 vide order dated 11.06.2018 in Ishipur Barahat P.S. Case No. 06 of 2017 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA, Act), Bhagalpur in connection with the aforesaid case registered under Sections 366A, 504/34 of the Indian Penal Code as well as Section 3(1)(x) of the SC/ST Act.

The appellant is named in the FIR. His name has also been appeared in the statement of the victim under Section 164 Cr.P.C. as kidnapper along with others.

Submission of the learned counsel for the appellant is



that the matter is of love affairs between the victim and co-accused Raju Kumar Yadav and that's why victim has stated that Raju Kumar Yadav forcefully married with her and he was in physical relation with her. The appellant is in custody since 01.06.2018. Co-accused Surendra Das has already been granted bail by this Court vide order dated 11.04.2018 passed in Cr. Appeal (SJ) No. 645 of 2018.

Considering the statement of the victim girl, 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/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 this appeal stands allowed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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