

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3648 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -PHULWARISHARIF District- PATNA

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1. Md. Equbal @ Md. Akbal, S/o Md. Israil @ Md. Israyal, R/o Vill.- Gonpura,
P.S.- Phulwarisharif in the District of Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-10-2018

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 09.08.2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge POCSO, Patna, in Special Case No. 23 of 2018, arising out of Phulwarisarif Police Station Case No. 89 of 2018, registered under Sections 341/354D/506 of the Indian Penal Code, Sections 7/8/10/12 of the POCSO Act and Sections 3(1)(r)/3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of sexual harassment to a girl aged about 17 years. The appellant has stated on



oath that he has got no criminal antecedent. He is in custody since 08.02.2018. Investigation of the case is already complete.

Considering the nature of allegation and the period already undergone, 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	
CAV DATE	NA
Uploading Date	
Transmission Date	

