

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3549 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -MAHILA PS District- AURANGABAD

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1. Chandan Rawani @ Chandan Kumar, S/o Sachitanand Singh @ Sachchita Nand Singh @ Sachchita Nand Ram, resident of Village- Bihata, P.S.- Haspura, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-02-2018

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-cum-Special Judge (S.C./S.T.), Aurangabad in Mahila P.S. Case No. 09 of 2017 registered under Sections 341, 342, 376(D), 506 of the Indian Penal Code, Section 4 of the Protection of Children from Sexual Offenses Act, 2012 as well as Section 3 of the SC/ST Act.

According to FIR, the appellant dragged the victim to a school wherein gang rape was, allegedly, committed. Though the victim has denied to have identified any of the accused in her statement under Section 164 Cr.P.C. However, she has not



denied the occurrence committed against her.

Considering the nature of allegation, I am not inclined to enlarge the appellant on bail. Hence, prayer for bail is refused.

The appellant would be at liberty to renew his prayer for bail before the court below itself after examination of the victim as prosecution witness.

(Birendra Kumar, J)

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