

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1820 of 2018

Arising Out of PS.Case No. -203 Year- 2017 Thana -MAHILA P.S District- SUPAUL

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1. Madhlal Yadav @ Madhulal Yadav S/o Mahavir Yadav, R/o Vill.- Bhananipur
Tharla , P.S.- Balua Bazar & Ward No. 13, District- Supaul.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Verma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-08-2018

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 24.04.2018 passed by the learned Additional Sessions Judge-I, Supaul, in Mahila Police Station Case No.203 of 2017, registered under Sections 366A/376D/307 of the Indian Penal Code and Section 3(1)(a)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is in custody since 27.12.2017. Allegation is that the appellant was also there when co-accused Anil Yadav allegedly committed rape against the daughter of the informant. The



victim has further stated that the land dispute is going on between the parties.

Submission is that doctor has not found any sign of rape or any external injury on the person of the victim, though allegation against the appellant is of commission of assault.

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	NAFR
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