

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4241 of 2018

Arising Out of PS. Case No.-341 Year-2018 Thana- BARACHATTI District- Gaya

Rajesh Yadav @ Rajesh Kumar S/o Babulal Yadav, Resident of Village-
Reganiyatad, P.S.-Barachatty, District-Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bhaskar Shankar, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 13.09.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (POCSO Act), Gaya, in POCSO Case No.58 of 2018, arising out of Barachatti Police Station Case No.341 of 2018, registered under Sections 376/511/341/342 of the Indian Penal Code and Section 3(1)(r)(s)(w1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is that the appellant attempted to ravish



the informant while she had gone to attend the call of nature. Due to intervention of Raju Yadav the victim could escape. The case-diary reveals that police did not record the statement of Raju Yadav.

Considering the nature of allegation and the fact that the appellant, who has got no criminal antecedent, is in custody since 25.05.2018 as well as completion of the investigation, 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 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
CAV DATE	NA
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