

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3896 of 2018

Arising Out of PS. Case No.-263 Year-2018 Thana- CHHATAPUR District- Supaul

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1. Bikki Singh @ Bikash Singh @ Bikash Kumar Singh @ Vikash Kumar Singh, S/o Gulab Singh,
 2. Gultha Singh @ Manish Kumar Singh @ Manish Singh, S/o Sri Shesh Nath Singh, Both Resident of Village- Pariyahi, P.S.- Chhatapur, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amrit Abhijat, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 12.09.2018 passed by the learned Additional Sessions Judge-I, Supaul, in SC/ST Case No.182 of 2018, arising out of Chhatapur Police Station Case No.263 of 2018, registered under Sections 376D/341/328/379 of the Indian Penal Code and Section 3(i)w(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants and others is of commission of gang-rape against the informant, aged about 22 years. At the time of occurrence, informant was returning along with her husband. On the way two motorcycle-borne five criminals



intercepted them and took her on their motorcycle at a lonely place and all committed rape against her. The victim has supported the aforesaid fact in her statement under Section 164 Cr.P.C.

Learned counsel for the appellants submits that initially when the informant and her husband had gone to report the matter to the police, they simply stated that only occurrence of snatching of personal belongings and assault had taken place. Subsequently, Mukhiya brought a written report with the allegation as disclosed in the IFIR. He further submits that medical report does not corroborate the prosecution evidence and the parties have entered into a compromise. The appellant is in custody since 31.08.2018.

Considering the nature of allegation, I am not inclined to enlarge the appellants on bail. Hence, hence their prayer for bail is refused. Learned trial-court is directed to expedite the trial and conclude the same by proceeding on day to day basis.

Accordingly, the appeal stands dismissed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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