

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.850 of 2018

Arising Out of PS.Case No. -32 Year- 2017 Thana -SOHAIL District- GAYA

=====

1. Rajesh Prajapat @ Rajesh Kumar Son of Bilash Prajapat resident of
Village - Phulbariya, P.S. - Sohail, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-03-2018

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 by the learned Additional Sessions Judge 1st -cum-Special Judge (POCSO Act), Gaya, in connection with Sohail Police Station Case No.32 of 2017 registered under Sections 366A/34 of the Indian Penal Code. Subsequently, offences under Section 376 of the Indian Penal Code, Section 4 of the POCSO Act as well as Section 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The victim girl in her statement under Section 164 Cr.P.C. has not leveled any allegation against the appellant; rather



has stated that she had voluntarily gone with the appellant at Gaya.

Considering the statement of the victim girl, 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./-

U		T	
---	--	---	--

