

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.327 of 2018

Arising Out of PS.Case No. -127 Year- 2017 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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1. Kundan Kumar Singh @ Mahendra, S/o Pramod Singh, Resident of
Village- Hasanpur, P.S.- Mahnar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Soni Shrivastava, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-04-2018

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 by the learned Additional Sessions Judge 1st -cum-Special Judge, Vaishali, in connection with Mahnar Police Station Case No.127 of 2017 registered under Sections 341/376/511/504/506 of the Indian Penal Code and Sections 8/12 of the POCSO Act and Sections 3(1)(w)/3(1)(r)/3(2)v(a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Earlier case was lodged by the appellant against the prosecution side vide Mahnar P.S. Case No.132 of 2017. In the aforesaid background, allegation is that the appellant attempted to



ravish to the daughter of the informant.

Submission is that there is contradiction in the statement of the mother of the victim in the FIR itself. The appellant is in custody since 02.01.2018.

Considering the background and the nature of allegation, 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)

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