

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.134 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -GOPALPUR District- PATNA

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1. Vikash Kumar @ Chocho @ Chacho @ Bikash Kumar, S/o Sri Gorakh Rai, R/o Village- Sirpathpur, P.S.- Gopalpur, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nageshwar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-02-2018

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 1st Additional Sessions Judge, Patna, in connection with Gopalpur Police Station Case No.93 of 2017 registered under Sections 363/366A/34 of the Indian Penal Code and Sections 7/8 of the POCSO Act as well as Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission of learned counsel for the appellant is that now charge has been framed and he is in custody since 19.06.2017. Further submission is that there is no allegation of commission of rape; rather he tried to outrage her modesty.



It appears that co-accused Vikash Kumar has been allowed bail by a coordinate Bench of this Court in Cr. Appeal (SJ) No.3376 of 2017.

Considering the aforesaid fact, 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 appeal stands allowed.

(Birendra Kumar, J)

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