

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.217 of 2018

Arising Out of PS.Case No. -177 Year- 2017 Thana -KALYANPUR District- SAMASTIPUR

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1. Kundan Kumar, Son of Shushil Kumar Jha @ Sushil Jha, resident of
Village- Hanuman Nagar, Police Station- Bisanpur, District- Darbhanga.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Bhushan Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 23-02-2018

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 1st Additional Sessions Judge-cum-cum-Special Judge (S.C./S.T. Act), Samastipur, in connection with Kalyanpur Police Station Case No.177 of 2017 registered under Section 366/34 of the Indian Penal Code and Sections 3(i)(r)/3(i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The statement of the victim girl under Section 164 Cr.P.C., at Annexure-2, would reveal that the allegation is against co-accused Ranjan Kumar and name of the appellant did not appear therein.



In the circumstances, 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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