

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2094 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -BHAWANIPUR District- PURNIA

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1. Prakash Mandal Son of Late Gholat Mandal resident of Village - Balia, P.S. Bhawanipur, District - Purnea.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kumar Uday Singh, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 20-07-2018

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 order dated 02.04.2018 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Purnea, in connection with Special SC/ST Case No.44 of 2018 (C.I.S. No.44 of 2018) arising out of Bhawanipur Police Station Case No.39 of 2018 registered under Sections 376 G/34 of the Indian Penal Code and Section 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he ravished to the informant.



Submission is that appellant is in custody since 20.02.2018. The informant is a married lady, her statement is not corroborated by the medical evidence or other witness rather the informant has been set up by the enemies of the appellant.

It appears that the informant has supported the aforesaid allegation in her statement under Section 164 Cr.P.C. Hence, I am not inclined to enlarge the appellant on bail for the present.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial and conclude the same preferably within nine months from the date of receipt/production of a copy of this order. If the trial is not concluded within the aforesaid period, the appellant would be at liberty to renew his prayer for bail before the learned trial court itself.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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