

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1979 of 2018

Arising Out of PS. Case No.-146 Year-2017 Thana- KHUTAUNA District- Madhubani

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Ram Briksha Yadav Son of Narayan Yadav, resident of Village- Siktiyahi,
P.S.- Khutauna, District- Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No 13

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 25.04.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, (SC/ST Act), Madhubani in A.B.P. No.1657 of 2017, arising out of Khutauna Police Station Case No.146 of 2017 registered under Sections 363, 366A, 376 of the Indian Penal Code and Section 4 of the POCSO Act as well as Section 3 (x) (w) (i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The statement of the victim girl under Section 164 of the Criminal Procedure Code would reveal that she had love



affairs with the appellant and she had voluntarily left her house with the appellant.

Considering the statement of the victim girl, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees 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, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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Transmission Date	

