

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.9 of 2018

Arising Out of PS.Case No. -40 Year- 2017 Thana -MAHILA PS District- GAYA

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1. Shiv Bhagat Yadav Son of Sri Ramdeo Yadav, Resident of Village-
Teusa, Police Station-Atri, District-Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-01-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned Special Judge (S.C./S.T.), Gaya in Mahila P.S. Case No. 40 of 2017 registered under Section 376 of the Indian Penal Code as well as Section 3(i)(w)(i)(ii) of the SC/ST Act.

No one appears on behalf of the appellant.

In the FIR, allegation against the appellant is of commission of rape against the informant.

In the statement, under Section 164 of the Cr.P.C., the informant stated that since her clothes was being opened she suspected that rape might be committed.



In the compromise petition Annexure-3, the informant has supported compromise with the appellant.

Considering the aforesaid fact, let the appellant, above named, 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 learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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