

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1370 of 2018

Arising Out of PS. Case No.-112 Year-2017 Thana- SC/ST District- East Champaran

=====

Brajesh Kumar, Son of Sri Bishwanath Prasad, Resident of Village- Begahin,
P.S.- Sugauli, District- East Champaran at Motihari.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Puja Kumari, D/o of Chhote Lal Paswan, Resident of Village- Turkaulia, P.S.-
Turkaulia, District- East Champaran at present Mohalla- Agarwa, P.S.- Town
Thana, District- East Champaran.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Jagdish Prasad
For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-07-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(2)A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 09.01.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihar in A.B.P. No.3245 of 2017, arising out of SC/ST Police Station Case No.112 of 2017 registered under Sections 313, 376, 323, 420, 467, 466, 471, 504/34 of the Indian Penal Code and Section 3 (i) (r) (s), 3 (i) (r) (a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2005.

The F.I.R. would reveal that due to personal intimacy the appellant was in physical relation with the informant.



Subsequently, he married with the informant and later on left the company of the informant.

Submission is that there is case and counter case. Both sides have compromised. The matter appears to be of consensual relation.

Finding substance in the submission aforesaid, 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 the appeal is allowed.

(Birendra Kumar, J)

abhishek/-

U		T	
---	--	---	--

