

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3809 of 2018

Arising Out of PS. Case No.-563 Year-2017 Thana- FATUA District- Patna

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1. Vikki Kumar @ Vikash Kumar @ Vikash, Son of Surendra Gope,
 2. Manoj Kumar, Son of Shri Anandi Prasad, Both residents of Village- Mirjapur Nohta, Police Station- Fatuha, District- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-12-2018

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 06.09.2018 in Special Case No.188 of 2017 read with Fatuha P.S.Case No.563 of 2017 passed by the learned Additional District and Sessions Judge-1st-cum-Special Judge, POCSO Act, Patna, registered under Sections 354(B)/34 of the Indian Penal Code and Section 3(I)(R) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 8 POCSO Act.

Allegation against the appellants and others is of sexual harassment to the informant, a school



going girl.

Submission is that appellants are in custody since 23.08.2018. They have got no criminal antecedent. Investigation of the case is already complete.

Considering the facts and circumstances of this case, let the appellants, above named, be released on bail **after completion of four months of custody** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellants 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 appellants.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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