

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1097 of 2018

Arising Out of PS.Case No. -259 Year- 2017 Thana -PHULWARI District- PATNA

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Chintu Kumar, aged about 21 years, Son of late Ajay Rai, Resident of Village-
Dharai Chak, Police Station- Janipur (Phulwarisharif), District- Patna.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Suryadeo Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-07-2018

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, (hereinafter referred to as the “S.C./S.T. Act”) against the refusal of prayer for regular bail order dated 04.01.2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge, POCSO Act, Patna in Special Case No.194 of 2017, arising out of Phulwarisharif (Janipur) P.S. Case No.259 of 2017, registered under Sections 341, 342, 354A/354B/354(I)(II)/34 of the Indian Penal Code as well as under Section 3/4 of the POCSO Act and Section 3(I) (x) of the S.C./S.T. Act.

According to F.I.R., four persons allegedly caught the



informant and attempted to sexually assault her. The informant has not supported the allegation of sexual assault or identification of any of the four persons in her statement under Section 164 Cr.P.C.

Considering the aforesaid facts, a co-ordinate Bench of this Court has allowed bail to co-accused, *Mithun Chakravertee* in *Criminal Appeal (SJ) No.737 of 2018*, hence 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 both the bailors shall be resident of territorial jurisdiction of the court below and the appellant 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 appellant.

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

(Birendra Kumar, J)

Abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

