

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3336 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -SARSI District- PURNIA

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Deepak Mehta @ Gonu Mehta, Son of Fatkan Mehta, resident of Village Hat
Bangha, P.S. Sarsi, District- Purnea.

..... Appellant/s

Versus

The State of Bihar.

..... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar
For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 08-10-2018

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 vide order dated 07.08.2018 in Special Case No. 92 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (POCSO) Act, Purnea in connection with Sarsi P.S. Case No. 78 of 2018 registered under Sections 366A/34, 376 of the Indian Penal Code, Section 4 of the Protection of Children from Sexual Offenses Act, 2012 as well as Section 3(i)(w) of the SC/ST Act.

The statement of the victim girl recorded under Section 164 Cr.P.C. does not show that the appellant had committed



any offence against her.

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 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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