

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3359 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- KURLIKOT District- Kishanganj

Deepak Chouhan S/o Late Inder Chouhan @ Indar Kant Chouhan, R/o vill.-
Lodhabari, P.S.- Kurlikot, District- Kishanganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pramod Kumar Pandey, Adv
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 26-11-2018

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 23.07.2018 in Kurlikot P.S. Case No.17 of 2018 (SPL.21/18) passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Kishanganj, registered under Sections 354(C), 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that in the past he had committed house trespass with some illicit purpose in the house of the informant. The



appellant was noticed and thereafter the matter was reported to the police. In the present occurrence, the appellant created a photograph showing his intimacy with daughter of the informant. The victim has stated that the photograph was created by the appellant.

Learned counsel for the appellant submits that the appellant is in custody since 01.06.2018.

Since the appellant has not produced any evidence to substantiate any voluntary relationship of the victim with appellant, I am not inclined to enlarge the appellant on bail at this stage.

However, prayer of the appellant shall be considered by the learned court below, if the trial is not concluded within three months from the date of receipt/production of a copy of this order.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.11.2018
Transmission Date	28.11.2018

