

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.130 of 2018

Arising Out of PS.Case No. -34 Year- 2017 Thana -MAHILA PS District- KHAGARIA

- =====
1. Sharban Kumar, Son of Shankar Mandal, Resident of Village- Navtolia,
P.S.- Pasraha, Dist- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.
2. Anjali Kumari D/o Rajendra Das R/V- Tebiya Bathan, P.S. Pasraha,
P.O. Kolbara, District Khagaria.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramesh Kumar Singh, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-03-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Khagaria, in connection with Khagaria Mahila Police Station Case No.34 of 2017, Special SC/ST Case No.316 of 2017 registered under Sections 376/506 of the Indian Penal Code, Section 3/4 of the POCSO Act and Sections 3(i)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is of physical exploitation on the pretext of marriage. On notice the informant is present. She is



ready for marriage and the appellant is also ready for marriage.

Considering the aforesaid fact, let the appellant, above named, be released on **provisional bail for six months** on furnishing bail bond of Rs.20,000/- (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. **The learned Court-below shall confirm the provisional bail soon after solemnization of marriage.**

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

(Birendra Kumar, J)

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