

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4305 of 2018

Arising Out of PS. Case No.-201 Year-2018 Thana- MUFFASIL District- West Champaran

Antesh Kumar @ Antesh Mahto, Son of Saheb Mahto, Resident of Village-
Chotaka Barwat Prasaraian, Post- Chotaka Barwat Prasaruin, P.S.- Betiya
Mufasil, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Naresh Ray, Advocate

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 vide order dated 06.10.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran, in B.P. No. 3653 of 2018, arising out of Bettiah Muffasil Police Station Case No.201 of 2018, registered under Sections 366/376/506 of the Indian Penal Code and Section 3(I)(x)(xi) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of physical



relation with the informant on the pretext of marriage. The victim in her statement, under Section 164 Cr.P.C., stated that she does not want to proceed with the case.

Submission is that she has already married with some other man.

Considering the facts of the case especially the fact that the victim was a consenting party, let the appellant, above named, be released on bail 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, with 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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.12.2018
Transmission Date	14.12.2018

