

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4346 of 2018

Arising Out of PS. Case No.-402 Year-2018 Thana- FORBESGANJ District- Araria

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Promod Kumar Mandal @ Pramod Kumar Mandal son of Shobhanand Mandal, R/o. Village- Tiraskund Samaul, P.S. Forbesganj, District- Araria

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ramesh Kumar Singh
For the Respondent/s : Mr. Sri Sadanand Paswan

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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 26.09.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Araria, in Special Case No.98 of 2018, arising out of Forbesganj Police Station Case No.402 of 2018, registered under Section 366A of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Perusal of the entire statement of the victim,



recorded under Section 164 Cr.P.C., it appears that there was previous affairs between the victim and the appellant which resulted in solemnization of marriage in a temple and thereafter physical relation.

Submission is that parties have settled the dispute outside the Court.

Considering the aforesaid fact, 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./-

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CAV DATE	NA
Uploading Date	
Transmission Date	

