

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.438 of 2018

Arising Out of PS.Case No. -115 Year- 2017 Thana -JAKKANPUR District- PATNA

=====

1. Rohit Kumar, son of Sanjay Singh, Resident of Village- Kab, P.S.- Rani Talab, Dist- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sunil Kumar, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-02-2018

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 anticipatory bail by the learned Additional Sessions Judge-II-cum-Special Judge (S.C./S.T. Act), Patna, in Jakkanpur Police Station Case No.115 of 2017 registered under Sections 363/365 of the Indian Penal Code and Section 3(i)(r)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Though the victim in her statement under Section 164 Cr.P.C. has alleged that the appellant forcefully took her along with others. However, her subsequent statement would reveal that she was kept in the house of the appellant by the family members



with full honour and dignity. The appellant did nothing with her.

Considering the aforesaid facts, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

