

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2625 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- MAHISHI District- Saharsa

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Deepak Roy @ Deepak Kumar Roy, son of Nand Kishor Roy, resident of
Derhar, P.S.- Nawhatta (O.P.), District- Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar Mukund
For the Respondent/s : Smt. Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 08-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 07.06.2018 passed by the learned Additional Sessions Judge-1st cum-Special Judge, Saharsa in SC/ST Case No.58 of 2018, arising out of Mahishi Police Station Case No.60 of 2018 registered under Sections 376/34 of the Indian Penal Code and Section 3(w)(i)(G)(R) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Two persons including, the appellant allegedly ravished to the informant. The victim has supported the aforesaid



allegation in her statement under Section 164 of the Code of Criminal Procedure.

Learned counsel for the appellant submits that Doctor has not found sign of the alleged offence. The appellant and others are resident of some other village and it has not been disclosed, as to how the informant was knowing them. Hence, entire allegation appears to be concocted one.

I do not find any merit in both the aforesaid submissions for the reason that statement of the victim cannot be doubted at this stage and F.I.R. itself depicts that how the appellant is known to the informant. Hence, I am not inclined to enlarge the appellant, above named, on bail. Accordingly, this appeal stands dismissed.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

abhishek/-

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