

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1477 of 2018

Arising Out of PS.Case No. -29 Year- 2018 Thana -GURUA District- GAYA

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1. Dipu Kumar S/o Arjun Yadav Resident of Village - Dumri Bara, P.S. Gurua,
District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhirendra Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-06-2018

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) Amendment Act, 2015 (hereinafter referred to as the “ S.C/S.T Act”) against the refusal of prayer for regular bail by the learned A.D.J. 1st-cum-Special Judge, (POCSO) Act, Gaya in POCSO Case No.21 of 2018, arising out of Gurua P.S. Case No.29 of 2018 registered under Sections 344, 366A of the Indian Penal Code as well as under Sections 3(2) (V) of the S.C./S.T. Act and Section 12 of the POCSO Act.

Though allegation against the appellant is that he had kidnapped the daughter of the informant, but the victim in her statement under Section 164 Cr.P.C. has not alleged of kidnapping,



rather she is specific that she had voluntarily gone with the appellant.

Considering the submission of the victim, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st-cum-Special Judge, (POCSO) Act, Gaya in POCSO Case No.21 of 2018, arising out of Gurua P.S. Case No.29 of 2018.

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

(Birendra Kumar, J)

AnilKrSinha/
Abhishek

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

