

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3823 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- GURUA District- Gaya

1. Vishal Yadav, Son of Indradeo Yadav,
2. Subodh Paswan, Son of Jagdish Paswan, Both Resident of Village-Taroba,
P.S.-Garua, District-Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivendra Prasad, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 06.08.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge (POCSO Act), Gaya, in connection with Gurua Police Station Case No.123 of 2018, registered under Sections 448/447/354A/34 of the Indian Penal Code and Sections 3(i)(r)(s)/2(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they entered into the house of the informant in the night and attempted to sexually assault to the niece of the informant, a minor girl.



Appellants are in custody since 09.07.2018. I do not find any merit in the submission that for village politics such a serious allegation has been leveled.

However, considering the facts of this case that investigation of the case has already been completed and the appellants have got no criminal antecedent, let the appellants, above named, be released on bail **on completion of six months of custody** on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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 appellants shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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