

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3816 of 2018

Arising Out of PS. Case No.-144 Year-2018 Thana- RAXAUL District- East Champaran

Dukhi Pandit, Son of Late Bhuteli Pandit, Resident of Village - Jokiyari, P.S.-
Raxaul, District - East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Chandra Verma
For the Respondent/s	:	Smt. Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 19.07.2018 in Raxaul P.S. Case No. 144 of 2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, East Champaran at Motihari in connection with the aforesaid case registered under Section 377 of the Indian Penal Code as well as Section 3(ii)(v) of the SC/ST Act.

Allegation against the appellant is that he committed unnatural offence against the brother of the informant. Besides the victim, other witnesses, who reached at



the place of occurrence, have also supported the allegation before the police.

Submission is that allegation is not corroborated by the medical evidence. Appellant is in custody since 23.06.2018. Investigation of the case is already complete.

Considering the nature and seriousness of the allegation against the appellant, I am not inclined to enlarge him on bail for the present. Hence, prayer for bail is refused.

However, appellant may renew prayer for bail before the court below itself if the trial does not take progress till nine months.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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