IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2930 of 2018

Arising Out of PS.Case No. -158 Year- 2018 Thana -SIKARPUR District- WESTCHAMPARAN(BETTIAH)

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1. Rupesh Sah, Son of Shambhu Sah, resident of Village- Aajua, P.S.- Shikarpur, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Brij Kishor Mishra, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 27-08-2018

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 19.07.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Bettiah, West Champaran, in B.P. No. 2324 of 2018, arising out of Shikarpur Police Station Case No.158 of 2018, registered under Sections 376/323/341/504/506/34 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The statement of the victim girl, aged about 25 years, recorded under Section 164 Cr.P.C. would reveal that she had

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voluntarily gone with the appellant to Nepal as she had love-affairs with him.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond 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, with 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 is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.08.2018
Transmission Date	29.08.2018

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