

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.891 of 2019

In
CRIMINAL MISCELLANEOUS No.78437 of 2018

Arising Out of PS. Case No.-141 Year-2018 Thana- MAHILA P.S. District- Bhojpur

Md Rayal @ Mohd. Rayal@ Mohd. Rail, son of Md. Moslim, Reident of Village/Mohalla-Kamaldah, P.S.-Bathnaha, District- Sitamarhi (Bihar).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Abhay Kumar Pandey

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 16-04-2019

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 by order dated 04.12.2018 passed by the learned Additional Sessions Judge Ist, Ara in connection with Mahila P.S. Case No.141 of 2018 registered under Section 376(3) of the Indian Penal Code, Section 6 of the Prevention of Children from Sexual Offences Act and Section 3(1)(r)(s) w(i)(ii), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The informant has alleged that the appellant ravist her. However, during trial, she has completely denied the allegation



and stated that the appellant is not known to her and nothing had taken place against her.

Considering the statement of the victim girl during trial, 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 both bailors shall be resident of territorial jurisdiction of the learned Court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

sanjeev/-

AFR/NAFR	NAFR
CAV DATE	NA
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