

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1821 of 2019

Arising Out of PS. Case No.-673 Year-2018 Thana- FORBESGANJ District- Araria

Md. Raja @ Zafir @ Raja @ Md. Zafir Son of Md. Idrish Khalifa Resident of
Village - Dholbaza, Ward No. 12, P.S.- Forbesganj, District - Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Kusum Rani, Advocate
For the Respondent/s : Mrs. Usha Kumari No.1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 04-06-2019

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 vide order dated 27.02.2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria, in Spl (POCSO) Case No.47 of 2018, arising out of Forbesganj Police Station Case No.673 of 2018, registered under Sections 376/34 of the Indian Penal Code and Sections 4/6/8 of the POCSO Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Though allegation against the appellant is that he



ravished to the informant. However, the victim girl as well as the informant had denied this allegation while deposing before the Court.

Considering the statement of the victim and the informant before the trial-court, 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	NA
CAV DATE	NA
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