

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3273 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- MAHILA PS District- Gaya

Indradeo Chauhan @ Mangra, aged about 45 years, male, Son of Narayan Chauhan, Resident of Village - Cherki Dak Bangla, P.S.- Sherghati, Dist.- Gaya.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant	:	Mr. Sanjeev Kumar-Advocate
For the State	:	Mr. Binay Krishna-S.P.P.
For the Informant	:	Mr. Ajay Kumar Sinha-Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

20-11-2019

Heard learned counsel for the appellant as well

as learned Special Public Prosecutor and learned counsel for the informant.

2. This appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short ‘the Act’) is directed against the order dated 27.05.2019 passed by the learned Exclusive Special Judge SC/ST, Gaya whereby the prayer for bail of the appellant has been rejected in Mahila P. S. Case No.17 of 2019 registered under Sections 3(1)(r)(s)(w) and (i) of the Act.

3. It is contended by the learned counsel for



the appellant that though there is allegation against the appellant that he ravished the informant, from perusal of the first information report itself, it would be manifest that the same has been reduced into writing by someone else pretending to have been written by the informant herself. He contended that the witnesses examined so far in course of trial have not supported the case of the informant. They all have been declared hostile at the request of the Public Prosecutor.

4. Per contra, learned counsel appearing for the State submitted that there is specific allegation in the first information report that the appellant forcibly raped the informant. The witnesses examined in course of investigation have supported the case of the informant. The informant has also corroborated the allegations made in the first information report and statement given under Section 164 of the Code of Criminal Procedure.

5. Regard being had to the submissions made above as also the allegations made in the first information report, I find no illegality in the order passed by the learned Exclusive Special Judge whereby the application for bail of



the appellant has been rejected.

6. The appeal stands dismissed.

7. However, the trial Court is directed to expedite the trial and conclude the same as early as possible preferably within six months from the date of receipt/ production of a copy of this order.

(Ashwani Kumar Singh, J)

Vikash/-

AFR/NAFR	NAFR
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