

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.182 of 2019**

Arising Out of PS. Case No.-124 Year-2018 Thana- DHANAHA District- West Champaran

Angad Bhar, Son of Suresh Bhar @ Suresh Ray Vill-Gobarahiya, P.S-
Dhanaha, Distt.-West Champaran

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 27-02-2019 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 **21.08.2018** passed by learned **Additional District and Sessions Judge - Ist -cum- Special Judge, Bettiah, West Champaran** in connection with **Dhanaha P.S. Case No. 124 of 2018** registered under Section 376 of the IPC and Section 3 (i) (w) of SC/ST (Prevention of Atrocities) Act.

Informant who is a major girl has alleged in her written complaint that appellant established physical relation with her on promise of marriage and subsequently he had assured her that after marriage the money which he will receive in dowry he will take it and shall fled along with informant. However, after



marriage he refuse to fulfill his promise and she has become pregnant.

It has been submitted on behalf of the appellant that nothing was done by appellant against will or consent of informant and relation was consensual and no case of rape is made out. Appellant has got no criminal antecedent and is in custody since 28.06.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.
- (3) If the Appellant tampers with the evidence or the witnesses of the case,



in that case, prosecution will be at liberty to move for cancellation of bail of the Appellant.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(S. Kumar, J)

manoj/-

U		T	
---	--	---	--

