

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.112 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- JAMOBABAZAR District- Siwan

RAJU KUMAR SINGH, Son of Osihar Singh, Resident of Village -
Mahammadpur, P.S. - Barauli, Distt. - Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s :

For the Respondent/s :

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 10-02-2020

No one appears for the parties.

This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 02.12.2019 in POCSO Tr. No. 156 of 2019 passed by the learned Additional Sessions Judge-1-cum-Special Judge, Siwan in connection with Jamo Bazar P.S. Case No. 29 of 2019 registered under Sections 363, 366(A), 323, 504, 506/34 of the Indian Penal Code as well as Sections 3(1)(r), 3(2)(Va) of the SC/ST Act.

The statement of the victim-girl recorded under Section 164 Cr.P.C., a copy at Annexure-2, would reveal that she had voluntarily gone with the appellant and had married with the appellant.



Though the victim is a minor, however, she is competent to say that no offense was committed against her.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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, subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	12.02.2020
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