

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1006 of 2020**

Arising Out of PS. Case No.-38 Year-2019 Thana- SUGAULI RAIL P.S. District- West
Champaran

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VISHWANATH SINGH @ VISWA NATH SINGH S/o Late Binda Singh
Resident of Village-Rampurwa, P.S.-Mehsi, District-East Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pramod Kumar Pandey
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 02-06-2020 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 06.02.2020 passed by learned Additional Sessions Judge-1st- cum- Special Judge (SC/ST/POCSO) Act, West Champaran at Bettiah in connection with Rail Sugauli Case No. 38 of 2019 registered under Sections 376B, 376C, 119/34 of the Indian Penal Code and under Sections 4, 6 and 17 of the POCSO Act and 3(i), 3(xii) of SC/ST (POA) Act, whereby the prayer for bail of the appellant has been rejected.

Learned counsel appearing for the appellant submits that the appellant, who is of clean antecedent, is innocent and has



not committed any offence. In fact, the co-accused having more or less similar allegation has already been granted bail by a co-ordinate Bench of this Court in Cr. Appeal (S.J.) No. 5167 of 2019 which is evident from Annexure-2 and the appellant is rotting in judicial custody since 21.10.2019. Hence, the appellant may be enlarged on regular bail.

Considering the facts and circumstances of the case, let the above named appellant be released on bail on furnishing personal bail bond to the satisfaction of the learned Additional Sessions Judge-1st -cum- Special Court SC/ST/POCSO Act, West Champaran, Bettiah in connection with Rail Sugauli P.S. Case No. 38 of 2019).

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

(Arvind Srivastava, J)

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