

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1012 of 2020

Arising Out of PS. Case No.-569 Year-2019 Thana- RAJIVNAGAR District- Patna

SAGAR KUMAR Son of Late Ganpat Bind Resident of Mohalla - Chhotki Rukunpura, P.S.- Hawaii Adda, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhirendra Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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 07.02.2020 passed by learned Additional District and Sessions Judge-VIII -cum- Special Judge, SC/ST Act in connection with Rajeev Nagar P.S. Case No. 569 of 2019/ Special Case No. 548 of 2019 registered under Sections 376 of the Indian Penal Code and Section 3(i)(w), 3(I)(II)(2)(V) 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 instant F.I.R. has been lodged after lapse of two months from the date of alleged



occurrence without explaining the plausible delay which creates doubt over the prosecution version. The appellant is rotting in judicial custody since 31.12.2019. 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 District and Sessions Judge-VIII -cum- Special Judge, SC/ST Act, Patna in connection with Rajeev Nagar P.S. Case No. 569 of 2019/ Special Case No. 548 of 2019.

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

(Arvind Srivastava, J)

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