

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1629 of 2020**

Arising Out of PS. Case No.-257 Year-2019 Thana- SIKARPUR District- West Champaran

SHEIKH SAKIR Son of Sheikh Bhola Alahdeej Resident of Village -
Bhedihari, P.S. - Purushottampur, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Ms. Usha Kumar, Spl. PP

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 20-10-2020 Heard learned counsel for the parties.

This appeal is filed under Section 14 A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the order dated 29.02.2020 passed by the learned Additional District and Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran in Tr. No. 212 of 2019, whereby his prayer for grant of regular bail has been rejected.

There is allegation against the appellant of having raped to the informant and one of his accomplice.

Learned counsel appearing on behalf of the appellant has submitted that the trial has begun wherein, the informant herself failed to identify the appellant. Despite the said material being there before the Court below, the Court below has rejected



the appellant's application for grant of bail and, therefore, the impugned order suffers from illegality and is erroneous. The appellant is in custody since 10.06.2019.

Considering the above noted submission, this appeal is allowed.

The impugned order dated 29.02.2020 passed by learned Additional District and Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran is set aside.

Let the appellant be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-I-cum- Special Judge, Bettiah, West Champaran in Sessions Trial No. 212 of 2019 arising out of Shikarpur P.S. Case No. 257 of 2019.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

