

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1468 of 2020

Arising Out of PS. Case No.-474 Year-2019 Thana- MOTIHARI MUFASIL District- East
Champaran

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SHARWAN KUMAR, age-25 years, Male, S/o Wakil Rai, Resident of
Village- Barkudawa, P.S.- Mufasil, Distt- East Champaran.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent

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Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Advocate
For the Respondent/s : Mr. Vinay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 13-10-2020 Heard learned counsel for the appellant and learned
counsel for the State through Virtual Court Proceeding.

This is an appeal against the refusal of prayer for
bail vide order dated 22.02.2020 passed by learned 1st A.D.J.-
cum- Special Judge, SC/ST Act, East Champaran, Motihari, in
connection with Muffasil P.S. Case No. 474 of 2019, registered
under Sections 363, 366A, 323, 504 and 506/34 of the Indian
Penal Code and under Section 3(i)(r) s) of Scheduled Caste and
Scheduled Tribes (Prevention of Atrocities) Act, 1989.

As per the F.I.R., the appellant and other accused
persons came to the house of the informant and assaulted him
and taken away his daughter. When the informant protested, the
accused persons hurled the abuses.

In paragraph no.71 of the case diary, it has come



that the victim girl was taken away in unconscious condition and whereafter she was carried to Ludhiyana, where she was sexually assaulted by the accused persons including this appellant and made video of the same and thereafter made it viral on social media.

Looking to the nature of allegation, this Court is not inclined to grant bail to the appellant. Accordingly, the prayer for bail is rejected and the appeal stands dismissed. However, the Trial Court is directed to expedite the trial and conclude the same within a period of nine months after restoration of normal Court proceeding.

(Shivaji Pandey, J)

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