

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3325 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- MOHIUDDIN NAGAR District-
Samastipur

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GOLU KUMAR SINGH Son of Dinesh Singh Resident of Bhasingpur, Police
Station- Mohiuddin Nagar, District- Samastipur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Raj Shekhar, Adv
For the Respondent/s : Mrs.Usha Kumari 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 03-02-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 28.06.2019 in Mohiuddin Nagar P.S. Case No.83 of 2019 passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge, Samastipur, registered under Section 4 of the Protection of Children from Sexual Offence Act, 2012, Section 376 of the Indian Penal Code, 1860 read with Sections 3(1),(r),(s),(w),3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is of commission of rape against a minor girl. The victim girl has supported the allegation



in her statement under Section 164 Cr.P.C.

Learned counsel for the appellant submits that the allegation is not corroborated by medical evidence. There is contradiction in the statement of the victim before the police and statement before the Magistrate to the extent that who first came whether her brother or mother.

The aforesaid infirmities cannot be a ground to disbelieve the victim. Hence, I am not inclined to enlarge the appellant on bail. Prayer for bail is refused.

Learned Trial Court is directed to expedite the trial.

Accordingly, this appeal stands dismissed.

(Birendra Kumar, J)

Nitesh/-

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