

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4067 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- BAHERA District- Darbhanga

Vikash Kumar Mahto S/o Binay Kumar Mahto, resident of village-
Jagdishpur, P.S.- Manigachhi (Nehra O.P.), District- Darbhanga

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Kedar Jha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 31-01-2020 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 09.08.2019 by the learned 1st Additional Sessions Judge-cum-Special Judge, (SC& SC Act), Darbhanga in A.B.P. No.1363 of 2019, arising out of Bahera P.S. Case No.207 of 2019, registered under Sections 376,341,323,504, 506, 313/34 of the Indian Penal Code and Sections 3(1)(r)/ 3(2)(va) of the SC/ST Act. Later on, Sections 4/6 of the POCSO Act was also added.

The allegation is of physically exploitation on the pretext of marriage.



Learned counsel for the informant as well as appellant submits that both have already married.

Considering the changed of circumstances and to protect the matrimonial life of the parties, let the appellant, named above, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/-(twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below, where the case is pending in connection with the aforesaid case, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J.)

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