

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4502 of 2019

Arising Out of PS. Case No.-80 Year-2019 Thana- MAHILA P.S. District- Patna

VIKASH KUMAR SINGH S/o Ram Sharan Singh @ Ram Janam Singh R/o Mohalla- Bhagwat Nagar Near Eye Care Centre, P.S.- Agamkuan, District- Patna, Permanent resident of village Naugarh, P.S.- Khizarsarai, District- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Binay Kumar, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 28-01-2020 Forensic Science examination report is produced in sealed cover. The second report was opened in open court and again handed over to the Investigating Officer in a sealed cover.

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 vide order dated 21.09.2019 passed by the learned Additional Sessions Judge-20-cum-Special Judge (S.C./S.T. Act), Patna, in Special Case No.348 of 2019, arising out of Mahila P.S. Case No.80 of 2019, registered under Sections 420/469/376/354/506/509 of the Indian Penal Code, Section 67



of the I.T. Act and Sections 3(2)(v)/3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is in custody since 23.07.2019.

According to FIR, the informant who was herself a teacher in the same school where the appellant was also a teacher. The appellant proposed for marriage and the informant accepted the same. Thereafter, both fell in physical relation with each other. Later on the informant came to know that the appellant is already a married person having two children from his wife. Then the informant realized that the appellant was just using her. She started making distance from the appellant. However, the appellant used to visit her house at Bekatpur to establish physical relation. Further allegation is that the appellant made video-graph of her relationship with the appellant to exploit her.

Considering the fact that the informant a major girl was a consenting party and was aware of the consequences of the act whereunder she indulged, let the appellant, above named, 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, with 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.

The appellant shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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