

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2184 of 2020

Arising Out of PS. Case No.-267 Year-2017 Thana- AMAS District- Gaya

Manish Kumar S/o Sunil Singh, Resident of Village-Sakalbigha, P.S-Gurua,
District-Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mayuri

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 06-01-2021 Heard learned counsel for the appellant and learned
counsel for the State.

This appeal has been preferred under section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, against the order dated 16.09.2020 passed by learned Special Judge, SC/ST, Gaya, whereby and whereunder the prayer of the appellant to grant him regular bail in connection with Amas P.S. Case No. 267 of 2017 registered for offence punishable under sections 366, 376(d)/34 of the Indian Penal Code and 3(i)(w)(ii)2(v) SC/ST Act has been rejected.

From the record it appears that the victim girl herself had gone, on call of the petitioner, to Aurangabad, where she established physical relationship with the appellant and on the instruction of the appellant, she had also gone to Kolkata to the



relative of the appellant where his relative established physical relationship with her.

The victim appears to be a consenting party.

Looking to the entirety of the matter, the impugned order dated 16.09.2020 is set aside and the appellant is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST, Gaya in connection with Amas P.S. Case No. 267 of 2017, subject to the condition that one of the bailors of the appellant shall be a close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court.

This order has been passed in presence of Mr. Binay Krishna, counsel for the State.

(Shivaji Pandey, J)

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