

(2021) 01 RAJ CK 0206
In the Rajasthan High Court
Case No : Criminal Appeal No. 29 Of 2021

Suraj Kumar Mahapatra

APPELLANT

Vs

State Of Rajasthan And Ors

RESPONDENT

Date of Decision : 20-01-2021

Acts Referred:

Scheduled Caste and Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(W)(i), 3(20(va), 3(2)(v), 14(A)(2)
Indian Penal Code, 1860 — Section 376(2)(n), 376D, 384, 450, 506

Citation : (2021) 01 RAJ CK 0206

Hon'ble Judges : Inderjeet Singh, J

Bench : Single Bench

Advocate : Sikandar Singh Sakkarwal, Riyasat Ali

Final Decision : Allowed

Judgement

1. The present criminal appeal under Section 14 (A) (2) of the SC/ST (Prevention of Atrocities) Act has been filed in connection with FIR

No.248/2020 registered at Police Station Shahpura District Jaipur Rural for the offences under Sections 450, 384, 376(2)(n), 376-D, 506 of IPC and

Section 3(2)(v) of SC/ST Act (Amendment 2015) (In FIR) and Sections 450, 384, 376D & 506 of IPC and Section 3(1)(W)(i) & 3(20(v-a) of SC/ST

Act (In Order).

2. Counsel for the appellant submits that the appellant has been falsely implicated in this matter and the prosecutrix is a married lady aged about 33

years, having three children. Counsel further submits that the FIR has been lodged after a delay of one year and the appellant is in custody since

17.09.2020. Counsel further submits that the challan has already been presented in the Court and conclusion of trial may take long time.

3. Learned Public Prosecutor has opposed the appeal.

4. Considering the material on record and also considering the period of custody and taking into account the facts and circumstances of the present

case and without expressing any opinion on the merits of the case, it would be just and expedient to order the release of the appellant on bail.

5. The order dated 22.12.2020 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Cases, Jaipur Metropolitan-I is quashed and set-

aside and this appeal is accordingly allowed. Appellant be admitted to regular bail subject to satisfaction of the trial Court. Office is directed to send a

copy of this order to the concerned trial Court through e-mail/fax, for necessary compliance.