

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.737 of 2016

Arising Out of PS.Case No. -298 Year- 2015 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Raj Kishor Rai, Son of Late Devlal Rai, Resident of Village & P.O.- Belwar
Police Station- Belsar (O.P.), District- Vaishali.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Kaushal Kishor, Advocate
Md. Azimuddin, Advocate

For the Respondent/s : Smt. Abha Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

3 09-12-2016 The appellant is aggrieved by an order dated

26.07.2016 passed by learned Addl. Sessions Judge-1st, Vaishali at

Hajipur in connection with Vaishali (Belsar) P.S. Case No. 298 of

2015 whereby his application for grant of regular bail has been

rejected.

The said First Information Report has been

registered for the offence punishable under Section 366A of the

Indian Penal Code and Section 3(x)(xii) of the Scheduled Castes

and Scheduled Tribes (Prevention of Atrocities) Act as well as

POCSO Act.

The appellant is father of Anil Kumar Rai who is

said to be the main accused. It has been submitted that so far as the

appellant is concerned, he has been wrongly implicated only



because he is father of said Anil Kumar Rai. It has been submitted that said Anil Kumar Rai and victim have already been solemnized marriage and allegation of kidnapping is incorrect.

Be that as it may, in the facts and circumstances of the case and of the view that learned court below ought to have exercised discretion by granting regular bail to the appellant, the impugned order dated 26.07.2016 passed by learned Addl. Sessions Judge-1st, Vaishali at Hajipur is accordingly set aside. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 298 of 2015.

(Chakradhari Sharan Singh, J.)

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