

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.520 of 2018

Arising Out of PS.Case No. -395 Year- 2012 Thana -MAHILA P.S. District- SASARAM
(ROHTAS)

=====

1. Bhim Singh S/o Shri Jagdish Singh @ Jagdish Yadav R/o Mohalla- Pali, Dehri,
P.S.- Dehri (T), District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Binod Kumar Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-05-2018

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 by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, in connection with Dehri Mahila Police Station Case No.395 of 2012 registered under Sections 376 of the Indian Penal Code and Section 3(i)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR relates to an occurrence of kidnapping of the daughter of the informant. The victim supported the allegation of commission of rape by co-accused Chandan Kumar Chaudhary and



others. Appellant is not named in the FIR. During trial the victim was examined as prosecution witness. However, she did not identify any of the accused present in court including Chandan, who were named in the FIR. In the circumstances, trial of Chandan Kumar Chaudhary and others resulted in acquittal vide Sessions Trial No.207 of 2013, a copy of which is at page 22.

Considering the aforesaid material, 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.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	

