

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.944 of 2019

Arising Out of PS. Case No.-30 Year-2015 Thana- BHAIKAVSHTHAN District- Madhubani

RAM SEVAK SAH @ RANJIT SAH @ RAM SEVAK SAHU @ RANJIT
SAHU Son of Mauje Sah @ Moje Lal Shah @ Moje Lal Sahu Resident of
Village - Mahinathpur, P.S.- Bhairavsthan, District - Madhubani.

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

5 09-08-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 19.01.2019, passed by learned 1st Additional Sessions
Judge cum Special Judge SC/ST Act, Madhubani in connection
with Bhairab Asthan P.S. Case No. 30 of 2015 registered under
Sections 342, 323, 504, 420, 467, 468, 120 B, 363 and 364 of
the Indian Penal Code and Section 3(1) (x) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with other three named accused
persons took the brother of the informant to Chandigarh with



them assuring his mother of earning lucrative wages by him there but his brother is traceless and on quizzing the appellant on arrival at his house about his brother they slated and assaulted him.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case. As a matter of fact, he has taken the brother of the informant with him to Chandigarh with the consent of his mother for earning money there and he was working in his sweet meat shop but, later on, he escaped from the said shop and the appellant has no knowledge of his whereabouts. Regarding his missing the appellant has lodged a Sanha at P.S. Chandigarh. Independent witnesses in the case diary have also supported the aforesaid case of the appellant regarding escaping of the victim from the shop of the appellant to some unknown place. Appellant has no criminal antecedent and has been languishing in custody since 25.09.2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
the learned 1st Additional Sessions Judge cum Special Judge
SC/ST Act, Madhubani in connection with Bhairab Asthan P.S.
Case No. 30 of 2015.

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

(Prakash Chandra Jaiswal, J)

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