

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1053 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- SARSI District- Purnia

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ROHIT GOSWAMI @ Rohit Kumar, Son of Mahendra Goswami Resident of
village- Sarsi, P.S.- Sarsi, District- Purnea

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Vikram Singh
For the Respondent/s : Mr. Binay Krishna

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

ORAL JUDGMENT

Date : 22-05-2019

Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer for bail vide order
dated 10.01.2019 passed by learned 1st Addl. Sessions Judge
cum Special Judge (SC/ST Act), Purnea in Sarsi P.S. Case No.
65 of 2018, Special Case No. 84/18 S.C./S.T. registered under
Section 366A/34 of the Indian Penal Code and Sections 3(i)(iv)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

As per the prosecution case, Md. Gayas along
with the appellant and one another accused Md. Jumman are



said to have kidnapped the minor daughter of the informant to perform marriage with her. Appellant and Md. Jumman have facilitated the kidnapping of the victim by the said accused.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case. The main accused is Md. Gayas who has allegedly kidnapped the victim to perform marriage with her and the only allegation against the appellant is that he had facilitated the kidnapping of the aforesaid victim by the said accused. Appellant has no criminal antecedent and has been languishing in custody since 19.05.2018. Said Md. Gayas @ Md. Bayas has been enlarged on bail by a co-ordinate bench of this court vide order dated 11.09.2018 passed in Cr. Appeal (SJ) No. 3103 of 2018.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Purnea in connection with Sarsi P.S. Case No. 65 of 2018,



Special Case No. 84/18 S.C./S.T.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
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