

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1359 of 2019

Arising Out of PS. Case No.-123 Year-2018 Thana- UCHKAGAON District- Gopalganj

Ramprit Mahto @ Ramprit Prasad, Male, aged about 60 years, S/o Late Lalmuni Mahto R/o village- Dahibhata, P.S.- Uchakagaon, District- Gopalganj

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 24-04-2019

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 21.02.2019 passed by learned 1st Additional Sessions Judge, Gopalganj in Uchakagaon P.S. Case No. 123 of 2018 registered under Section 366(A)/34 of the Indian Penal Code and Sections 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Co-accused Pradeep Kumar is said to have kidnapped the minor daughter of the informant with intent to perform marriage with her and the appellant who happens to be



father of Pradeep Kumar and other accused persons who happen to be his family members are said to have extended help to Pradeep Kumar in kidnapping the daughter of the informant.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, the victim was in love with said Pradeep Kumar and she suo motu eloped with him. Appellant has no role in the aforesaid occurrence. He has been made accused in the case merely because he happens to be father of Pradeep Kumar. Appellant has no criminal antecedent and has been languishing in custody since 21.01.2019. Similarly situated co-accused, namely, Sharda Devi, Puja Devi and Prabhawati Devi have been enlarged on anticipatory bail by a co-ordinate bench of this court vide order dated 03.04.2019 passed in Cr. Appeal (SJ) No. 1283 of 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 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 Additional Sessions Judge, Gopalganj in connection with Uchakagaon P.S. Case No. 123 of 2018.



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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