

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1353 of 2019

Arising Out of PS. Case No.-113 Year-2018 Thana- MUSRIGHRARI District- Samastipur

1. Mithlesh Rai, aged about 28 years, Male, Son of Soli Rai @ Surendra Rai Resident of Village- Fatehpur, P.S.- Musrigharari, District- Samastipur.
2. Ranjan Kumar, aged about 19 years, Male, Son of Bhushan Prasad Singh @ Bhushan Singh Resident of Village- Fatehpur, P.S.- Musrigharari, District- Samastipur.
3. Dipak Singh, aged about 24 years, Male, Son of Late Budhu Singh Resident of Village- Fatehpur, P.S.- Musrigharari, District- Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ajay Kumar Thakur Mr. Shashank Shekhar Mr. Udbhav
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL JUDGMENT

Date : 24-04-2019

Heard learned counsel for the appellants 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 08.03.2019 passed by the learned Special Judge (SC/ST
Act), Samastipur in Musrigharari P.S. Case No. 113 of 2018



registered under Sections 354B and 363/34 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s) and 3(1)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellants are said to have tried to kidnap the minor daughter of the informant on the vehicle and on alarm raised by the villagers they dropped the victim from the vehicle and fled away.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to dirty village politics. No offence under Section 354(B) IPC is made out against the appellants. Allegation levelled against the appellants under Section 363 IPC is bailable. Matter has been compromised between the parties. Appellants have been languishing in custody since 08.03.2019.

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

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST Act), Samastipur in connection



with Musrigharari P.S. Case No. 113 of 2018.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	25.04.2019
Transmission Date	25.04.2019

