

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1834 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- SASARAM MUFFSIL District- Rohtas

Adityamal Singh @ Adidityamal Singh S/o Ram Ayodhya Singh R/o
Mohalla- Ward No. 09, village- Medanipur, P.S.- Sasaram (M), District-
Rohtas

... .. Appellant.

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

5 14-08-2019 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 of anticipatory bail
vide order dated 24.12.2018 passed by learned 1st Additional
Sessions Judge cum Special Judge SC/ST Act, Rohtas at
Sasaram in connection with Sasaram (M) P.S. Case No. 162 of
2018 registered under Sections 366 A and later o added Section
365/34 of the Indian Penal Code and Section 3(w) (1) of the
Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act.

The informant, her sister and three other girls were taken to the Mednipur for dance programme in the school by the appellant and three other named accused persons and at 1 PM the appellant and one Om Prakash Singh kidnapped the minor sister of the informant and the victim is still traceless.

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. He has no concern with the said occurrence. The independent witnesses in paras-64, 65 & 66 have unanimously stated that the victim had love affair with the co-accused Deepak Kumar and eloped with him during the course of dance programme. Appellant has no criminal antecedent. Similarly situated co-accused Monu Kumar has been enlarged on bail by the learned Court below and Om Prakash Singh has been enlarged on regular bail by this Court vide order dated 09.08.2019 passed in Cr. Appeal (SJ) No.2308 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, in the event of his arrest or surrender



before the learned Court below within a period of six weeks from today, 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, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 162 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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