

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1924 of 2019

Arising Out of PS. Case No.-427 Year-2017 Thana- CHHATAPUR District- Supaul

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RANJIT KUMAR S/o Dilip Mandal, resident of village-Chatarpur, P.S.-
Chatapur, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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with
CRIMINAL APPEAL (SJ) No. 1929 of 2019

Arising Out of PS. Case No.-427 Year-2017 Thana- CHHATAPUR District- Supaul

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RAMCHANDRA SHARMA Son of Late Jagarnath Sharma, resident of
Village- Laxmipur, P.S. Chatapur, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

(In CRIMINAL APPEAL (SJ) No. 1924 of 2019)

For the Appellant/s : Mr.Bhaskar Shankar

For the Respondent/s : Mr.Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 1929 of 2019)

For the Appellant/s : Mr.Bhaskar Shankar

For the Respondent/s : Mr.Usha Kumari 1

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

ORAL JUDGMENT

Date : 07-05-2019

Heard learned counsel for the appellants and learned

Spl. P.P. for the State.

As both the criminal appeals have cropped up from the
same order hence aforesaid two appeals are being heard together
and disposed of by this common judgment.



These appeals 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 04.04.2019 and 09.04.2019 respectively passed by learned Sessions Judge, 1st-cum- Spl. Judge, SC/ST (Prevention of Atrocities) Act, Supaul in Chatapur P.S. Case No. 427 of 2017 registered under Sections 323, 366, 385, 504, 34 of the Indian Penal Code and also under Section 3 (i) (r) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Wife of the informant was missing five months back. In course of search informant learnt that appellants along with four other named accused persons had kidnapped his wife. On approaching them for release of his wife appellants slated the informant in the name of his caste and demanded rupees one lakh in lieu of release of his wife.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have no concern with the aforesaid occurrence. They have been falsely implicated in this case only on suspicion. F.I.R was lodged after inordinate delay of five months without giving any plausible explanation of the aforesaid delay. There is no eye witness of the occurrence. Appellants have been languishing in custody since



02.4.2019 and 22.02.2019 respectively. Appellants have no criminal antecedent. Similarly, situated other co-accused person namely Dilip Mandal has been enlarged on bail in CR. APP. (SJ) No. 243 of 2019 vide order 04.01.2019 by co-ordinate Bench of this Court.

Learned Spl. P.P. 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 bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-1st-cum-Special Judge, Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, Supaul in connection with Chatapur P.S. Case No. 427 of 2017.

Accordingly, the impugned order is set aside and aforesaid two appeals are allowed.

(Prakash Chandra Jaiswal, J)

T.Kr./-

AFR/NAFR	NAFR
CAV DATE	NA
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