

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3059 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- CHAND District- Kaimur (Bhabua)

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DUSHLAM ANSARI @ ABDUL SALAM ANSARI @ DUSHLAM Son of
Murtuza Ansari Resident of Village - Eliya, P.S.- Eliya, Dist.- Chandauli
(U.P.)

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Tribhuwan Narayan
For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

2 29-07-2019 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 for bail vide order
dated 25.06.2019 passed by learned 1st Additional Sessions
Judge, Kaimur at Bhabua in connection with Chand P.S.
Case No. 79 of 2019 registered under Section 366 A of the
Indian Penal Code and Section 3(1) (r) (s) (w) and 3 (2) (va)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.



The appellant is said to have kidnapped the minor daughter of the informant from his house.

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 due to dirty village politics. The victim in her statement made under Section 164 Cr.P.C. has candidly stated that on the date of occurrence she has left to Varanasi for roaming along with the appellant suo motu. She has not made allegation of any sexual assault against the appellant. Realizing the actual state of affair the informant has entered into a compromise submitting that the victim has suo motu left her house for roaming and no one has kidnapped her. Appellant has no criminal antecedent and has been languishing in custody since 23.05.2019.

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 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, Kaimur at



Bhabua in connection with Chand P.S. Case No. 79 of 2019.

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

(Prakash Chandra Jaiswal, J)

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