

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3350 of 2019**

Arising Out of PS. Case No.-50 Year-2019 Thana- BIBHUTIPUR District- Samastipur

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RAM PRASAD SINGH Son of Late Ghuran Singh Resident of Village -
Kerai, P.S.- Vibhutipur, Distt - Samastipur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Bijay Bhushan Prasad
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 27-11-2019 Heard learned counsel for the appellant and learned
counsel for the respondent-State.

The appellant has challenged the order dated 21.06.2019 passed by the 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Samastipur in connection with Vibhutipur P.S. case No.50 of 2019 registered for the offences under Sections 366A/34 of the Indian Penal Code and Section 3(1) (r) (s) of SC/ST (POA) Act, whereby the prayer made on behalf of the appellant for grant of bail has been rejected.

Prosecution case, in short, is that the daughter of the informant, namely, Rani Kumari had gone to orchard to collect fire wood, but she did not return back. Thereafter the informant searched her and she came to know that the accused persons



have kidnapped her daughter. She was also abused by calling her caste name.

It has been submitted on behalf of the appellant that the appellant is in custody since 14.06.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the appellant. The victim girl has been recovered. Her statement under Section 164 of Cr.P.C. has been recorded. There is no allegation of sexual or physical abuse alleged against the appellant. The allegation of sexual assault is alleged against the co-accused, namely, Manish Kumar, Arun Kumar Singh and Sujit Kumar.

On behalf of the respondent-State, it is submitted that the appellant is named in the F.I.R.

Considering the aforesaid facts and circumstances, this Court is inclined to and sets aside the order dated 21.06.2019, refusing to grant bail to the appellant.

Let the appellant, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Samastipur in connection with Vibhutipur P.S. case No.50 of



2019.

The appeal stands allowed.

(Sudhir Singh, J)

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