

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3295 of 2019**

Arising Out of PS. Case No.-225 Year-2015 Thana- LAXMIPUR District- Jamui

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Ganesh Ravidas @ Ganesh Das S/o Kaleshwar Ravidas R/o village- Sewa,
P.S.- Gidhaur, District- Jamui

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Prasad

For the Respondent/s : Mrs. Usha Kumari 1

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

ORAL ORDER

2 09-08-2019 Heard learned counsel for the appellant 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 25.06.2019 passed by learned 1st Addl. District & Sessions Judge, Jamui in Laxmipur (Gidhaur) P.S. Case No. 225 of 2015 registered under Section 302/34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Son of the informant is said to have been kidnapped by Pintu Yadav along with three unknown miscreants. Preceding to the occurrence, Khiro Yadav and



Chulhaya Paswan had extended threatening of dire consequence to her son.

It is submitted by learned counsel for the appellant that the appellant is not named in the FIR. He has no concern with the aforesaid occurrence. He has been falsely implicated in this case due to animosity. There is nothing in the record indicating the complicity of the appellant in the occurrence barring the confessional statement of Gujari Devi @ Gunjary Devi recorded during the course of investigation. Appellant has no criminal antecedent and has been languishing in custody since 25.06.2019. Said Gujari Devi @ Gunjary Devi has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 30.08.2016 passed in Cr. Misc. No. 28624 of 2016. Moreover, said Gujari Devi has been acquitted on trial and similarly situated co-accused, namely, Anil Das has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 10.04.2018 passed in Cr. Appeal (SJ) No. 882 of 2018 and Pappu Das @ Pappu Ravidas @ Pappu Kumar has been enlarged on bail by this Court vide order dated 24.04.2019 passed in Cr. Appeal (SJ) No. 1535 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 is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District & Sessions Judge, Jamui in connection with Laxmipur (Gidhaur) P.S. Case No. 225 of 2015.

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

(Prakash Chandra Jaiswal, J)

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