

Arising Out of PS. Case No.-32 Year-2019 Thana- DHANGAI District- Bhojpur

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... Appellant.

Versus

The State of Bihar.

... Respondent/s

For the Appellant/s : Mr. Ravi Ranjan
For the Respondent/s : Mr. Sadanand Paswan

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 22-08-2019 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 for bail vide order dated 19.07.2019 passed by learned 1st Additional Sessions Judge, Bhojpur at Ara in connection with SC/ST Case No. 87 of 2019 registered under Sections 366 A & 504/34 of the Indian Penal Code and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Minor daughter of the informant is said to have been kidnapped by the appellant while she had gone to the field for defecation with the informant.

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. As a matter of fact, the victim is major and the Doctor after examining the victim has also reported her age above 19 years. During the course of investigation the victim has stated that she had gone with the appellant for excursion to Mugalsarai and from there she regressed to Patna and from where she arrived at Ara where the police apprehended them as evident from the impugned order. The appellant has not kidnapped the victim rather she had *suo motu* left with the appellant out of her sweet will for excursion. Appellant has no criminal antecedent and has been languishing in custody since 25.06.2019.

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, Bhojpur at Ara in connection with SC/ST Case No. 87 of 2019.

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

(Prakash Chandra Jaiswal, J)

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