

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3859 of 2019

Arising Out of PS. Case No.-105 Year-2018 Thana- RAJEPUR District- East Champaran

Ravindra Kumar Son of Meghu Sah Resident of Village - Bhuwalidih, P.S.-
Rajepur, District - East Champaran

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 13-09-2019 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 of anticipatory bail vide order dated 06.08.2019 passed by learned 1st Additional Sessions Judge SC/ST Act, East Champaran at Motihari in connection with Rajepur P.S. Case No.105 of 2018 registered under Sections 363, 366 A, 504 & 506/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Minor daughter of the informant has been kidnapped by the appellant and two other named accused persons while she had gone to witness marriage ceremony.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The victim in her statement recorded under Section 164 Cr.P.C. has not divulged about outraging her modesty by the appellant. She has suo motu regressed to the house after six months. As per the F.I.R. itself, she was in talking term with the appellant. Hence, the appellant may be enlarged on bail.

Per contra, learned Special P.P. for the State vehemently opposing the bail petition submitted that the appellant along with other accused persons have kidnapped the minor daughter of the informant and the victim in her statement recorded under Section 164 Cr.P.C. has candidly stated that the accused persons including the appellant kidnapped her on motorcycle, gagging her mouth and kept her several places for six months. Appellant has also taken her photograph and made it viral on the mobile of others. Hence, the appellant does not deserve bail.

Considering the facts and circumstances of case, I



am not inclined to enlarge the appellant on bail. The prayer for bail of the appellant is hereby rejected. However, the appellant is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

Accordingly, this appeal is dismissed.

(Prakash Chandra Jaiswal, J)

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