

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5605 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- MAINATAND District- West Champaran

BALLI SAH @ BALI SAH Son of Late Raghunath Sah Resident of Village -
Rampurwa, Chapariya Tola, P.S.- Mainatand, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-12-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal under section 14A(2) of the SC and ST (Prevention of Atrocities) Act has been preferred against the rejection of bail of the appellant vide order dated 22.11.2019 passed in B.P. No. 3315 of 2019 arising from Mainatand P.S. Case No. 74 of 2018 registered for offence under sections 363, 366A, 323, 504 and 379 of the Indian Penal Code and sections 3(i)(r)(w) of the SC and ST (Prevention of Atrocities) Act.

As per allegation made in the F.I.R., It is stated by the informant that his 15 year old daughter was kidnapped by one Ranjeet Kumar for the purpose of marriage. She took away Rs. 25,000/- in cash besides other ornaments and eight named accused persons including this petitioner also had a hand in



kidnapping her.

It is submitted by learned counsel for the appellant that the appellant happens to be the uncle of the aforesaid Ranjeet Kumar. It is only on ground of his relationship, that he has been falsely implicated in this case. It is further stated that the daughter of the informant returned and her statement was recorded under section 164 Cr.P.C wherein she has disclosed her age as 18 years and she has categorically stated that she had gone by herself as in spite of her marriage being fixed with Ranjeet Kumar, her parents were proposing to marry her elsewhere. She further states that she feared for her life and that it was Ranjeet Kumar, who forced her to return and suggested that she should marry as per the wishes of her parents.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the relationship of the petitioner with the aforesaid Ranjeet Kumar, the contents of the statement of the daughter of the informant under section 164 Cr.P.C., the appellant being in custody since 13.06.2019 and having no criminal antecedent, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction of
the learned Additional Sessions Judge-I-cum-Special Judge,
West Champaran at Bettiah in connection with Mainatand P.S.
Case No. 74 of 2018.

The appeal stands allowed.

(Partha Sarthy, J)

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