

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.1068 of 2020**

Arising Out of PS. Case No.-118 Year-2019 Thana- RUDRAPUR District- Madhubani

GITA NATH JHA Son of Bhim Jha Resident of Village - Mahrail Pachhwari
Tola, P.S.- Rudrapur, District- Madhubani, State- Bihar

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Birmani Kumar, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

6 28-09-2020 Heard learned counsel for the appellant and Mr.
Sadnanand Paswan learned Special P.P. for the State.

This appeal has been filed for setting aside the order dated 07.02.2020 passed by he learned Additional Sessions Judge – I – cum – Special Judge, Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, Madhubani in connection with Rudrapur P.S. Case No. 118 of 2019, corresponding to G.R. No.162 of 2019 whereby and whereunder the prayer for regular bail of the appellant has been rejected for the offence under Sections 363, 366(A), 341, 323, 504, 506, 34 of the Indian Penal Code and Section 3 (i) (r) 3 (2) (va) of the SC/ST (Prevention of Atrocities) Act.

Earlier after a prima-facie consideration this Court



has been pleased to grant provisional bail to the appellant vide order dated 01.06.2020.

Case diary has been received in this case and from the materials present in the case diary it appears that the thrust of the allegations are against co-accused Jyotish Kumar who had earlier also allegedly taken away the victim girl, so far as this petitioner is concerned, it is alleged that she was helping Jyotish on the alleged date and time in taking away the victim girl on the motorcycle but the motorcycle was intercepted by the brother of the victim girl and both the accused persons were handed over to the police.

Although Mr. Sandanand Paswan, learned Special P.P. for the State has opposed the prayer for regular bail of the appellant submitting that the victim girl has also named this appellant in her statement under Section 164 Cr.P.C., This Court having noticed the materials on the record in the case diary and the fact that it is a case of regular bail and appellant had remained in jail in connection with this case since 03.11.2019 and there is no submission that the release of the appellant is in any way likely to interfere with the course of trial, otherwise the appellant has got no criminal antecedent,



the provisional bail of the appellant is hereby confirmed and
she will remain on bail on the same bail bond.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

