

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1336 of 2020**

Arising Out of PS. Case No.-34 Year-2020 Thana- SAHAR District- Bhojpur

Abhishek Pandit @ Abhishek Pandey, S/o Devendra Pandit, Resident of
Village-Bajairiya, P.S.-Sahar, District-Bhojpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bhola Prasad, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special PP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

3 20-08-2020 Heard Mr. Bhola Prasad, learned counsel for the
appellant and the learned Special P.P. for the State.

The appellant has preferred the present appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the order dated 18.03.2020 passed by the learned 1st Additional Sessions Judge, Bhojpur, Ara in Sahar P.S. Case No.34/2020 (SC/ST 36/2020) arising out of Sahar P.S. Case No.34/2020, whereby the prayer for regular bail of the appellant has been rejected in connection with Sahar P.S. Case No.34/2020 instituted for the offence under Section 366(A) of the I.P.C. and Section 3(i)(r)/3(a)(v) of the SC & ST (Prevention of Atrocities) Act.

Written report of the informant alleges abduction of her minor daughter for marriage and threat to her daughter's



life. The appellant is the alleged abductor.

Appellant's counsel submits that the appellant has been framed. No material has come during investigation to support the allegations. The alleged victim had reached her parents on the next day of the alleged abduction on her own. There is inconsistency in the statement of the victim recorded by the learned Magistrate to that of the F.I.R. The Doctor has opined the age of the victim to be 17-18 years. The appellant is in jail since 22.02.2020, having no criminal antecedents.

Drawing attention of the Court towards the statement of the victim recorded under Section 164 Cr.P.C., which is to be found in paragraph 49 of the case diary, the learned Special PP submits that the victim has alleged coercion by the instant appellant for the purpose of marriage and also that prior to her abduction, he had earlier been married.

Considering the aforesaid submissions and the serious nature of the offence, this Court is not inclined to allow the appellant's prayer for bail for the present. It is, accordingly, rejected.

(Madhuresh Prasad, J)

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