

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1659 of 2020**

Arising Out of PS. Case No.-18 Year-2020 Thana- MAHILA PS District- Buxar

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AJMER ANSARI @ RAJA S/o Late Rafik Miya Resident of Village-Amaon,
P.S.-Chainpur, District-Kaimur at Bhabhua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Ravi Paswan, Adv.
		Mr. Rajeev Ranjan, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 07-12-2020 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State, through video

conferencing.

The instant appeal has been preferred by the appellant against the order dated 15.4.2020 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Buxar whereby the prayer for bail of the appellant in connection with Buxar Mahila P.S. Case No. 18 of 2020 registered under sections 376, 420, 341, 323, 506 and 34 of the Indian Penal Code, section 3(1)(r)(s) and 3(2)(v)(a) of SC & ST Act to which subsequently section 370 of the Indian Penal Code and sections 4 and 5 of the Immoral Traffic Act were added, was rejected.

As per allegation in the FIR, it is stated by the



informant that she was brought by one Suman Singh, whom she met at Chopan Railway Station at Madhya Pradesh on the assurance that he would get her employed in the work of tailoring and she would get Rs. 3,000/- per month. She states that she reached Buxar and started living with Suman Singh and Ibrahim, where both of them used to run orchestra programme and wherein she was forced to dance. It is further stated that others including the appellant herein also used to reside. Md. Ibrahim used to force himself upon her and in spite of her narrating about the occurrence to the other persons including the appellant herein, they did not come to her assistance.

It is submitted by learned counsel for the appellant that from perusal of the FIR itself, although the allegations as levelled against the appellant in the same are not correct, the main allegation is against Md. Ibrahim and Suman Singh. It is further submitted that even in course of investigation, it has transpired that appellant was one of the labourers in the business of tent house. It is further submitted that even in course of investigation it has transpired that the appellant herein and Nisha Kumari worked as a comedian and used to run youtube channel. The appellant is in custody since 2.3.2020 and has no criminal antecedent.



The appeal is opposed by learned Spl.P.P. appearing for the State.

Having heard learned counsel for the parties and taking into consideration the allegations levelled in the FIR together with the material that has transpired in course of investigation and the appellant being in custody since 2.3.2020, the Court is inclined to allow this appeal. The appeal is allowed and the order dated 15.4.2020 passed by learned Additional Sessions Judge-I-cum-Special Judge, Buxar is set aside.

The appellant is directed to be enlarged on bail in connection with SC/ST Case No. 28 of 2020 (arising out of Buxar (Mahila) P.S. 18 of 2020) 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 Additional Sessions Judge-I-cum-Special Judge, Buxar.

(Partha Sarthy, J)

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