

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5170 of 2019

Arising Out of PS. Case No.-123 Year-2019 Thana- MAHILA P.S. District- Bhojpur

=====

Santosh Singh @ Santosh Kumar Singh S/o Shri Ramayan Singh Resident of
Village- Chawariyan, P.S.- Narayanpur, District- Bhojpur.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Sachchida Nand Singh, Advocate
For the Respondent/s : Mr.Binay Krishna, SPP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 13-02-2020 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for regular bail vide order dated 14.08.2019 passed by the learned Additional Sessions Judge-I-cum-Special Judge (POCSO/S.C./S.T. Act), Bhojpur at Arrah, in connection with Arrah POCSO Case No.49 of 2019, arising out of Mahila P.S. Case No.123 of 2019, registered under Sections 363/376/34 of the Indian Penal Code, Section 4 of the POCSO Act and Sections 3(i)(w)(i)(ii)/3/2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant is a relative of the informant as well as in visiting term in the house of the informant. Allegation is



that the appellant had taken away to the minor daughter of the informant who did not return. Thereafter, the FIR was lodged. The victim has not stated in her statement under Section 164 Cr.P.C. that the appellant did anything else with her.

Considering the statement of the victim girl, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(c) The appellant shall not leave the country without permission of the trial Court.

Accordingly, the impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

Mkr./-

U		T	
---	--	---	--

