

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1481 of 2021

Arising Out of PS. Case No.-124 Year-2020 Thana- ROHTAS District- Rohtas

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ROHIT KUMAR SINGH @ ROHIT RAJPOOT Son of Mahendra Singh
Resident of Village - Baknaura, P.s.- Rohtas, District - Rohtas (Bihar).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh, Advocate.
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-07-2021 Heard the parties in virtual Court.

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 bail vide order dated 10.11.2020 passed by the learned Addl. Sessions Judge-VII, Rohtas at Sasaram in Rohtas P.S. Case No. 124 of 2020 registered under Sections 366A/34, 365, 370H, 376DA and 120B/34 of the Indian Penal Code, Sections 4(2)/6 of the POCSO Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is not named in the F.I.R. rather specific allegation is against the named accused persons to have kidnapped the minor daughter of the informant.

The impugned order does not reveal that any overt act



is alleged against the appellant, even in the statement of the victim under Section 164 Cr.P.C.

Considering the facts of this case, let the appellant, above named, be released on bail, on furnishing bail bonds 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 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 the appeal is allowed.

(Birendra Kumar, J)

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