

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1143 of 2021**

Arising Out of PS. Case No.-52 Year-2019 Thana- DAWATH District- Rohtas

RAKESH SAH Son of Gopal Shah Resident of Village - Kothua, P.S.- Agiaon
Bazar, Distt.- Bhojpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rakesh Singh, Advocate.
For the Respondent/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 12-03-2021 Let the defects be removed within four weeks.

Heard 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 bail vide order dated 28.11.2020 passed by the learned 1st Addl. Sessions Judge, Sasaram, Rohtas in Registration No. 68 of 2019, arising out of Dawath P.S. Case No. 52 of 2019 registered under Sections 366 and 498 of the Indian Penal Code and Sections 3(1)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The daughter of the informant aged about 19 years was married on 19.06.2018 with one Kashi Nath Ram. Since the daughter of the informant was in relationship with the appellant



since prior to her marriage, on 20.02.2019 the appellant abducted her for the purpose of marriage.

Considering the facts and circumstances of the case as well as statement of the victim recorded under Section 164 Cr.p.C. to believe that she was in relationship with the appellant with consent, 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 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 the appeal is allowed.

(Birendra Kumar, J)

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