

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2149 of 2020

Arising Out of PS. Case No.-106 Year-2020 Thana- BACHHWARA District- Begusarai

Rajendra Singh @ Rajendra Singh Bind @ Rajendra Mahto S/o Late
Ramashish Singh, Resident of Ward no.13, Usari Bind Tola, P.S.-Bachhwara,
District-Begusarai. Appellant/s

Versus

The State of Bihar Respondent/s

Appearance :

For the Appellant/s : Mr. Abul Kalam
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 05-02-2021 Heard learned counsel for the appellant and learned
counsel for the State.

The appeal is admitted.

In this appeal, the appellant is seeking regular bail in connection with Bachhwara P.S. Case No. 106 of 2020 registered for offence punishable under sections 354 (A) and 354 (B) of the Indian Penal Code, sections 12 of the POCSO Act, sections 3 (i) (w), 3 (2) (v-a) of the SC/ST (POA) Act.

Allegation has been made that the appellant was carrying the daughter of the informant to the field of Kalicharan and when the victim girl started crying, the people of the village reached there and then she could save her life.

Learned counsel for the appellant submits that it is a false case which has been lodged against the appellant to pressurize him not to claim for return of money which the appellant had given to the informant and on that account the appellant has falsely been



trapped in the present case. In support of the submission, he has placed reliance on paragraphs 20, 28, 29 and 35 of the case diary. He further submits that the appellant is in custody since 06.06.2020 having clean antecedent.

In view of the statement recorded by the police giving opinion with regard to the false allegation made against the appellant, the impugned order dated 08.07.2020 is set aside.

Let the appellant above named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Special Judge SC/ST (POA) Act, Begusarai in connection with Bachhwara P.S. Case No. 106 of 2020, subject to the condition that one of the bailors of the appellant shall be his close relative. The appellant will not induce any witness or tamper with the evidence. The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure on two consecutive dates, the court below will have liberty to pass an order including cancel the bail of the appellant.

This order has been passed in presence of Mr. Binay Krishna, learned counsel for the State.

(Shivaji Pandey, J)

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