

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1457 of 2021**

Arising Out of PS. Case No.-60 Year-2019 Thana- RAJAON District- Banka

Bindeshwari Mandal S/O Late Prasadi Mandal R/O Village- Tekani, P.S.
Rajoun, Dist- Banka

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Suman Kumar, Adv.

For the Respondent/s : Mrs. Usha Kumari, SPP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 08-03-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail vide order dated 03.11.2020 passed by learned Additional Sessions Judge-1, Banka in connection with G.R. No. 17 of 2019 (B) arising out of Rajoun P.S. Case No. 60 of 2019 registered under Sections 363, 365, 323, 354, 379, 34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 (i) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



As per allegation in the FIR, it is stated by the informant that the accused persons including the appellant who are the family members of her daughter-in-law came to her place, started to abuse and assaulted them and forcibly took away her. They went away giving threats.

It is submitted by learned counsel for the appellant that appellant is innocent and has been falsely implicated in this case. He submits that minor daughter of Mukeshwar Mandal was forcibly taken away by the son of the informant for which an FIR was registered by Mukeshwar Mandal against the informant. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal and he is languishing in judicial custody since 24.08.2020.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-Banka in connection with G.R. No. 17 of 2019(B) arising out of Rajoun P.S. Case No. 60 of 2019.



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

(Anjani Kumar Sharan, J)

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