

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3203 of 2021

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

Sanjeev Kumar Singh @ Sanjiv Singh Son of Mithilesh Singh @ Mithlesh Singh Resident of Village - Pipra Bagahi, Tola, Kataha, P.S.- Kutumba, Distt.- Aurangabad.(Bihar)

... .. Appellant/s

Versus

1. The State of Bihar
2. Baban Ram Late Jokhan Ram R/o Village- Samahuta, P.S.- Rohtas, District- Rohtas(Bihar)

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

14 07-04-2022 Heard learned counsel for the parties.

Notice has been validly served upon the respondent no. 2 but nobody appears on his behalf.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 10.11.2020, passed by learned Additional District and Sessions Judge-VII, Rohtas at Sasaram in connection with POCSO Case No. 47 of 2020 arising out of Rohtas P.S. Case No. 124 of 2020, registered under Sections 366A/ 34, 365, 370(H), 376(DA), 120(B)/34 of the IPC, Section 4 (2) 6 POCSO Act and Sections 3 (2) (V) of the SC/ST Act.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this



case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that the victim has not taken the name of the appellant in her statement recorded under Section 164 Cr.P.C. Learned counsel for the appellant submits that the similarly situated co-accused has already been granted bail by different Bench of this Court. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State opposes the prayer for bail and submits that all the accused persons have committed rape upon the victim girl. The accused further got the victim married with Sanjeev Singh against her wishes.

Considering the facts that there is specific allegation against the appellant, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer for regular bail is rejected in connection with Rohtas P.S. Case No. 124 of 2020.

Accordingly, this appeal is dismissed. However, trial court is directed to expedite the trial.

(Anjani Kumar Sharan, J)

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