

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.308 of 2024**

Arising Out of PS. Case No.-789 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Prince Kumar @ Prince Kumar Kushwaha Son Of Babu Lal Siingh @ Babu Lal Singh Kushwaha Resident Of Village - Dewkali @ Dewkali Khurd, P.S. - Mohania, District - Kaimur At Bhabua

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramdayal Dhobi Son Of Late Tunnu Dhobi Resident Of Village - Dumraith, P.S. - Bhabua, District - Kaimur At Bhabua

... .. Respondent/s

**Appearance :**

|                      |   |                                            |
|----------------------|---|--------------------------------------------|
| For the Appellant/s  | : | Mr. Vinod Kumar Seth, Advocate             |
| For the Respondent/s | : | Mrs. Usha Kumari 1, Spl. Public Prosecutor |
| For the R.No. 2      | : | Mr. Achyut Kumar, Advocate                 |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

4      11-09-2025                      Heard learned counsel for the appellant, learned counsel for the respondent no. 2 and learned Spl. Public Prosecutor for the State.

2. This criminal appeal has been filed against the order dated 09.11.2023 passed by learned Special Court Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Kaimur at Bhabua in ABP No. 1609 of 2023 in connection with Bhabua P.S. Case No. 789 of 2023, instituted under Section 366 of the Indian Penal Code and Sections 3(i)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.



3. As per F.I.R., married daughter of the informant went missing on 27.08.2023. On inquiry, informant came to know that this appellant along with two other named accused persons kidnapped his daughter for unlawful purpose.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. Daughter of the informant is major and she has already been recovered. There is no allegation of assault or abuse by caste name as such, no offence under SC/ST Act is made out against appellant. He further submits that due to intervention of well-wishers of both the parties, case has already been compromised and good relation has been restored between the parties (copy of compromise petition annexed as Annexure-P/2). Appellant claims clean antecedent.

5. Learned Spl. Public Prosecutor for the State as well as learned counsel for the respondent no. 2 does not dispute the contention made on behalf of the appellant.

6. Considering the fact that victim has been recovered and parties have compromised the case, let the appellant, as named above, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of Special Court Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 789 of 2023.

7. Accordingly, this criminal appeal is allowed and impugned order dated 09.11.2023 is set aside with respect to this appellant only.

**(Prabhat Kumar Singh, J)**

Navya/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

