

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1088 of 2017

Arising Out of PS.Case No. -181 Year- 2016 Thana -DAUDNAGAR District- AURANGABAD

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1. Arun Kumar Prajapati S/o Ramjeet Prajapati resident of mohalla - Gola Road, Ward No. 14, P.S. - Daudnagar, District - Aurangabad (Bihar).

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017 The appellant seeks regular bail in connection with Daudnagar P.S. Case No. 181 of 2016, registered for offences punishable under Section 366(A) of the Indian Penal Code, Section 12 of POCSO Act and Section 3(1)®/3(1)(w)(1)/3(2)(V) of SC/ST (POA) Act.

Allegation against the appellant that he kidnapped the victim girl with a view to marry with her.

It has been submitted on behalf of the appellant that falsity of the case will appear from the fact that daughter of the informant has stated in her statement recorded under Section 164 Cr.P.C. before the Magistrate that now she is married with the appellant. Further report of Medical Board shows the age of girl between 18 to 19 years. Further appellant has been in custody



since 06.12.2016.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, statement of the girl recorded under Section 164 Cr.P.C. and also the report of the medical board, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST, Aurangabad, in connection with Daudnagar P.S. Case No. 181of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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