

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2456 of 2017

Arising Out of PS.Case No. -246 Year- 2016 Thana -BARHARIA District- SIWAN

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1. Ranjan Prasad, Son of Bigu Prasad, Resident of Village- Sheodhar Hata,
Police Station- Barharia, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bijay Prakash Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-10-2017

Heard the parties.

The appellant seeks regular bail in connection with Barharia P.S.Case No. 246 of 2016,registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code and Section 3 (II) (V) of SC/ST Act.

Allegation against the appellant is that he kidnapped the minor daughter of the informant.

Submission of the learned counsel for the appellant is that the statement of the victim girl has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case. She has stated that she



had gone with him on her own sweet will and her aged has been assessed to be 19-20 years. It is further submitted that the appellant is in custody since 28.06.2017.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed and the impugned order dated 02.08.2017 passed by learned 1st Additional Sessions Judge, Siwan in the aforesaid case is hereby set aside.

Let the appellant above named be released on bail on furnishing bail bond of Rs.. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Siwan in connection with Barhariya P.S.Case No.246 of 2016, subject to the following conditions:

(i) One of the bailors of the appellant shall be 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 co-operate in the disposal of the trial and make himself available as and when required by the court concerned 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 will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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