

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.751 of 2018

Arising Out of PS.Case No. -591 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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Akshay Kumar @ Akshay Kumar Mandal son of Munilal Mandal, resident
of village- Hamara, Police Station- Jagdishpur (Goradih), District-
Bhagalpur.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, Advocate

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 16-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the
refusal of prayer for regular bail by the learned 4th Additional
Sessions Judge-cum-Special Judge, Bhagalpur in Jagdishpur
(Goradih) P.S. Case No. 591 of 2017 registered under Sections
366A/34 of the Indian Penal Code as well as Sections 3(1)(r),
3(ii)(v/a) of the SC/ST Act.

Allegation against the appellant is of abduction of
the married daughter of the informant. Further allegation is that
the informant has got information that the appellant has kept the
victim in his captivity. Though in her statement under Section 164



Cr.P.C., the victim has stated that the appellant forcefully took her to his house, however, has alleged nothing against the appellant.

Submission is that the matter is of love affairs.

Learned counsel for the informant opposed the prayer for bail on the ground that the victim was recovered from the house of the appellant by the police.

Considering the entire facts aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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