

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.645 of 2018

Arising Out of PS.Case No. -6 Year- 2017 Thana -ISHOPUR District- BHAGALPUR

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1. Surendra Das S/o Samru Ravidas, R/o Village- Mirzagaon, P.S.- Ishipur,
Barahat, District- Bhagalpur. Appellant/s

Versus

1. The State of Bihar Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiwesh Chandra Mishra, Adv

For the Respondent/s : Mr. Sadanand Paswan,SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-04-2018

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 against the refusal of prayer for bail by the learned 4th Additional Sessions Judge, Bhagalpur, in connection with Ishipur Barahat Police Station Case No.06 of 2017 registered under Sections 366(A), 504,34 of the Indian Penal Code, and Section 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A copy of the explanations received from learned 4th Additional District and Sessions Judge-cum-Special Judge, Bhagalpur and learned 2nd Additional District and Sessions Judge, Bhagalpur in pursuance of order dated 09.03.2018 be placed in the Administrative side alongwith the orders passed by them and a copy of the FIR of Ishipur Barahat Police Station Case No.06 of 2017.



Though the appellant is not named in the FIR, his name appeared in the statement of the victim under Section 164 Cr.P.C. as kidnapper alongwith others.

Submission of the learned counsel for the appellant is that the matter is of love affairs between the victim and co-accused Raju Kumar Yadav and that's why victim has stated that Raju Kumar Yadav forcefully married with her and he was in physical relation with her. The appellant is in custody since 13.01.2018

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

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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