

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2260 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- RATANPURA District- Supaul

Sanjay Ishar @ Sanjay Ishwar, Son of Shibu Iswar, Resident of Village-
Lalmanpatti, P.S.- Ratanpura, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bishwajeet Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-08-2018

Heard learned counsel for the parties.

This is an appeal under Section 14A(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 vide order dated 11.04.2018 passed by the learned Additional Sessions Judge-1st, Supaul in S.C./S.T. Case No.52 of 2018 arising out of Ratanpur Police Station Case No.11 of 2018 registered under Sections 341, 342, 366, 506/34 of the Indian Penal Code as well as Section 3(I)(R) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

According to F.I.R., the appellant and others were involved in the kidnapping of the daughter of the informant. The victim who was recovered on the same day in her statement under Section 164 of the Criminal Procedure Code has alleged her



kidnapping by the appellant and others. However, she is specific that the appellant left the company and the father of the victim followed them soon after the occurrence and she was recovered from the clutches of others.

Submission is that the matter is of love affairs and on the pressure of the parents the victim has given statement under Section 164 of the Criminal Procedure Code. The appellant has got no criminal antecedent. The appellant is in custody since 10.04.2018. Investigation of the case is already complete.

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) each 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/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)

abhishek/-

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