

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1110 of 2016

Arising Out of PS.Case No. -63 Year- 2013 Thana -SANOKHAR District- BHAGALPUR

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1. Md. Maksud Ansari @ Maqsood Mansoori, Son of Late Mansuri resident of village - Amdanda, P.S. Amdanda, 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, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 30-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 06.01.2016 passed by the learned 1st Additional Sessions Judge, Bhagalpur, in Sessions Trial No.618 of 2014, arising out of Sanokhar (Amdanda) Police Station Case No.63 of 2013, registered under Sections 366A/504/34 of the Indian Penal Code and Sections 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation in the complaint petition is that the appellant induced the minor daughter of the informant to go with him. The victim in her statement recorded under Section 202 Cr.P.C. alleged kidnapping by the appellant and his mother as well as physical



relation with her by the appellant. However, perusal of the entire statement including her cross-examination would reveal that she was a consenting party. The appellant is in custody since 17.09.2013.

Considering the nature of allegation and the period already undergone, let the appellant, above named, be released on bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that both the bailors shall be the resident of territorial jurisdiction of the learned Court-below and 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 appeal stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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