

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3015 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Sonalal Prasad , Son of Dwarika Prasad,
 2. Sarita Devi, Wife of Sonalal Prasad,
 3. Saurabh Kumar, Son of Sonalal Prasad, All are of Resident of Mirganj South Mohalla, Police Station- Mirganj, District- Gopalganj.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Lokesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-09-2018

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 anticipatory bail vide order dated 19.07.2018 passed by the learned 1st Additional Sessions Judge, Gopalganj, in A.B.P. No.961 of 2018, arising out of Mirganj Police Station Case No.108 of 2018, registered under Sections 363/366A of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR relates to kidnapping of the daughter of the informant, aged about 18 years. The victim in her statement recorded under Section 164 Cr.P.C. stated that she had voluntarily gone with Jitu, son of appellant Nos.1 and 2 and brother of appellant No.3. She



further stated that at Pune she married with Jitu. Thereafter, they appeared before the Court and Court remanded Jitu to judicial custody.

Learned counsel for the informant opposed the prayer for anticipatory bail.

Considering the statement of the victim, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each 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 the appellants 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 appellants.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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