

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2070 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Abhishek Mishra S/o Chandrabhan Mishra, R/o Moh.- Purani Bazar, Ramnagar,
P.S.- Ramnagar, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

WITH

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Criminal Appeal (SJ) No. 2089 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Saurabh Singh @ Bholu Kumar son of Arjun Singh resident of Muhalla - Purani
Bazar, Ramnagar, Ward No. 10, Police Station - Ramnagar, District - West
Champaran at Bettiah.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

(In both these appeals)

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

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 25-07-2018

Heard learned counsel for the parties.

Both these appeals 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 by the



learned Additional Sessions Judge 1st -cum-Special Judge, West Champaran, in Bagaha Mahila Police Station Case No.8 of 2017, registered under Section 366A/34 of the Indian Penal Code. Subsequently, offences under Sections 376-G/120B of the Indian Penal Code and Sections 3(xii)/2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 were added.

The FIR relates to an occurrence of kidnapping of the niece of the informant. The appellants and others are named in the FIR. The victim has filed a petition before the learned Court-below. A copy of the same is at Annexure-2, wherein she has stated that she had gone to the house of her relative without informing her family members and FIR was lodged.

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 appeals are allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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