

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2490 of 2018

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

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1. Bhikhari Yadav @ Rajesh Yadav, Son of Patal Yadav @ Deep Narayan Yadav,
resident of Village Hardeochak, P.S. Ishipur, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 13-08-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 06.06.2018 in Ishipur Barahat P.S. Case No. 06 of 2017 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with the aforesaid case registered under Sections 366A, 504/34 of the Indian Penal Code as well as Section 3(i)(x) of the SC/ST Act.

The FIR relates to kidnapping of the daughter of the informant. The statement of the victim-girl would reveal that she had alleged kidnapping by other named persons and physical relation and forceful marriage by co-accused Raju Kumar Yadav.



Submission is that matter appears to be of love affairs between Raju Kumar Yadav and victim girl. Considering the aforesaid fact co-accused Rakesh Mahto @ Rakesh Kumar, who is named in the FIR, has already been allowed bail by this Court vide order dated 31.07.2018 passed in Cr. Appeal (SJ) No. 2403 of 2018. Appellant is not named by the victim.

Considering the aforesaid material, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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