

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2751 of 2018

Arising Out of PS. Case No.-215 Year-2018 Thana- PUPRI District- Sitamarhi

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Ajit Kumar @ Ajit Kumar Choudhary @ Tunna Choudhary, Son of Late Ajay Kumar Choudhary, resident of Village- Barri Behta, P.S.- Pupari (Choraut O.P.), District- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Birendra Kumar
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 anticipatory bail vide order dated 4.07.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, (S.C./S.T. Act) Sitamarhi in A.B.P. No.1067 of 2018/216 of 2018, arising out of Pupri (Choraut O.P.) Police Station Case No.215 of 2018 registered under Sections 363, 367 of the Indian Penal Code and Sections 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure would reveal that she has



already married with co-accused, *Rajnish Choudhary*. There is general and omnibus allegation of kidnapping of the victim girl by *Rajnish Choudhary* and others, including the appellant.

Considering the statement of the victim girl, let the appellant, above named, in the event of his 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 bond of Rs.20,000/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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/-

AFR/NAFR	NAFR
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