

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.48 of 2018

Arising Out of PS.Case No. -259 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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1. Kunal Kumar @ Kunal Mandal S/o Mukesh Mandal, R/o Village-
Jagdishpur, P.S.- Jagdishpur, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ravi Shanker Pankaj

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 11-01-2018

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 by the learned 2nd Additional Sessions Judge-cum-Special Judge, Bhagalpur in Jagdishpur P.S. Case No. 259 of 2017 registered under Sections 363, 365, 504, 506/34 of the Indian Penal Code as well as Section 3(1)(r)3(2)(va) of the SC/ST Act.

The allegation is that the appellant enticed the daughter of the informant to go with him.

The victim-girl, in her statement under Section 164 Cr.P.C., though has alleged that the appellant put some intoxicating thing on her nose and in a condition of



unconsciousness for three days, she was carried to Ahmadabad where she gained consciousness and thereafter, the appellant expressed his willing to marry with her.

Learned counsel for the appellant submits that the matter is of love affairs and under pressure of the parents, the victim has given her statement under Section 164 Cr.P.C.

Considering the aforesaid fact, 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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