

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.726 of 2018

Arising Out of PS.Case No. -419 Year- 2017 Thana -BAKHTIYARPUR District- PATNA

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1. Devendra Ram @ Rabindra Kumar, S/o- Dewani Ram, Resident of Village-
Sawani, P.S.- Bakhtiyarpur, District- Patna.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binit Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-06-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned Special Judge SC/ST-cum-Addl. Sessions Judge Vth, Patna in connection with Bakhtiyarpur P.S.Case No. 419 of 2017 registered under Sections 363,364,366(A),342 read with 34 of the Indian Penal Code, Sections 3(1)(r) of the Scheduled Castes and Scheduled Tribes Act, Section 12 of the POCSO Act and Sections 9,10,11 of the Prohibition of the Child Marriage Act.

Though the FIR reveals an occurrence of kidnapping of the daughter of the informant. However, the victim in her



statement under Section 164 Cr. P.C. stated that she had love affairs with co-accused-Lokesh Kumar and she has already married with co-accused-Lokesh Kumar. The victim has not even named the appellant.

Considering the aforesaid facts, 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 anticipatory bail on furnishing bail bond of Rs.20,000 (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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, this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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