

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1652 of 2018

Arising Out of PS. Case No.-307 Year-2017 Thana- PUPRI District- Sitamarhi

Aklu Mukhiya, Son of Sogarath Mukhiya, R/o Village- Dalka, P.S. Nanpur,
District- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar Jha

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 23-05-2018 Heard learned counsel for the appellant and learned
special P.P. for the State as well as the learned counsel for the
informant.

This is an appeal under Section 14 A(2) of the
Schedule Caste and Schedule Tribe (Prevention of Atrocities)
Act, 1989 against refusal of the prayer for bail in connection
with Pupri P.S. case no. 307/17 registered under Sections
366A/34 of the Indian Penal Code and Section 3(ii) (va) of the
SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellant has submitted that
appellant is in custody since 11.4.2018. It is further submitted
that one of the co- accused, namely, Dihal Mukhiya has already
been granted bail by a co-ordinate Bench of this Court vide
order dated 22.3.18 passed in Cr. Appeal (SJ) no. 661 of 2018.



In the written report, it is alleged that Devendra Mukhiya, Dihal Mukhiya and others had kidnapped the grand daughter of the informant with intention to marry her. It is further alleged that informant has learnt that his grand daughter has been kept in the house of Lakhindra Mukhiya and this appellant. Informant has mentioned in the last portion of the F.I.R. that this appellant and Lakhindra Mukhiya are also involved in the occurrence.

Considering the aforesaid facts, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Sitamarhi, in connection with Pupri P.S. case no. 307 of 2017, subject to the condition that both the bailors should be the close relative of the appellant.

Accordingly, the impugned order is set aside and the appeal stands allowed .

(Sanjay Priya, J)

shyambihari/-

U		T	
---	--	---	--

