

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2794 of 2018

Arising Out of PS. Case No.-290 Year-2013 Thana- BIBHUTIPUR District- Samastipur

Sanjit Kumar @ Sanjit Singh, S/o Ram Sakha Singh, R/o Vill. - Diyanatpur Patelia, P.S. - Bibhutipur, District - Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Urmila Devi, W/o Lalo Ram, R/o Vill.- Deyanatpur Patelia, P.S.- Bibhutipur, District- Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Anand
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date : 20-11-2018

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 06.03.2018 in A.B.P. No. 153 of 2018 passed by the learned 1st Additional Sessions Judge, Samastipur in connection with Bibhutipur P.S. Case No. 290 of 2013 registered under Sections 363, 364, 120B of the Indian Penal Code as well as Section 3(x) of the SC/ST Act.

Allegation against the appellant is that he induced to the minor son to go with him and thereafter the son of the informant was missing.



Submission of the learned counsel for the appellant is that the informant has stated in the petition filed subsequently before the court below that her son was some what of slow mind and on several occasion, he had left the house in the past sometimes for 15 days and sometimes for months and thereafter returned. She had appeared before the court below and accepted the factum of compromise.

This Court had noticed to the informant-opposite party no. 2, however, in spite of notice, she had not appeared.

Considering the facts of this case aforesaid, 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 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 as well as condition that both the bailors shall be resident of within the



territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	26.11.2018
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