

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4149 of 2018

Arising Out of PS. Case No.-1035 Year-2018 Thana- SASARAM NAGAR District-
Rohtas

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1. Ajay Kumar @ Dablu Kumar @ Dablu, Son of Prem Mahto
 2. Girdhari Mahto, Son of Late Bechu Mahto
 3. Sonu Kumar, Son of Shyam Bihari Mahto
 4. Chandan Kumar @ Birju Kumar @ Birju, Son of Lallan Mahto
 5. Vikash Kumar, Son of Prem Mahto
 6. Harendra Kumar @ Kalyan Kumar, Son of Sheo Kumar Mahto
 7. Meena Devi, Wife of Girdhari Mahto
 8. Sanjay Mahto, Son of Ramchandra Mahto, All Resident of Village -
Bharatiganj, P.S. Sasaram, District Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 05.09.2018 in Registered Case No. 215 of 2018
passed by the learned 1st Additional Sessions Judge-cum-Special
Judge S.C./S.T. (POA) Act, Rohtas at Sasaram in connection
with Sasaram (Town) P.S. Case No. 1035 of 2018 registered



under Sections 452, 323, 341, 365, 366A of the Indian Penal Code as well as Sections 3(w)(i)(ii) of the SC/ST Act.

According to FIR, the appellants and others kidnapped to the daughter of the informant.

The victim-girl in her statement under Section 164 Cr.P.C. stated that she had voluntarily gone with the appellant no. 1 Ajay Kumar @ Dablu Kumar @ Dablu and married in a temple.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the statement of the victim-girl, let the appellants, above named, in the event of their 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 bonds of Rs.20,000/- (rupees twenty thousand) each 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 appellants 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 appellants as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Banti

AFR/NAFR	N.A.
CAV DATE	N.A.
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