

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.425 of 2018

Arising Out of PS.Case No. -64 Year- 2016 Thana -TARIYANI CHOWK District- SHEOHAR

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1. Santosh Kumar, Son of Anand Rai, Resident of Village- Punarwara,
P.S.- Runnisaidpur, District- Sitamarhi.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Virendra Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 09-04-2018

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 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Sheohar, in connection with Tariyani Police Station Case No.64 of 2016, registered under Section 366A/34 of the Indian Penal Code and Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that though in the FIR allegation is of kidnapping of the victim girl by the appellant and co-accused Punit Kumar, who is full brother of the appellant, but the fact is that the victim had love-affairs with the brother of the appellant.



The victim has already married with the brother of the appellant and to this effect the appellant has already informed to the Superintendent of Police, Sheohar. The appellant is in custody since 08.11.2017. Investigation of the case is already complete.

Considering the aforesaid fact, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (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, with 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, the impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

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