

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3150 of 2018

Arising Out of PS. Case No.-526 Year-2017 Thana- FORBESGANJ District- Araria

Md. Jabir @ Jabir, Son of Md. Mazid, Resident of Mohalla- Dallu Tola, Ward
No. 19, P.S.- Forbesganj, District- Araria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Bajarangi Lal
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 08-10-2018

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 regular bail vide order dated 25.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Araria in Spl. (SC/ST) Case No.226 of 2017, arising out of Forbesganj Police Station Case No.526 of 2017 registered under Sections 363, 365, 366(A)/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The offence alleged is of commission of kidnapping of the daughter of the informant. The appellant is not named in the F.I.R. However, his name surfaced in the statement of the victim



recorded under Section 164 of the Code of Criminal Procedure. But specific allegation is against co-accused, *Md. Kadir*. The appellant is in custody since 23.07.2018. Investigation of the case is already complete.

Hence, let the appellant, above named, 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 learned court below where the case is pending in connection with the aforesaid case, subject to the 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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

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CAV DATE	
Uploading Date	
Transmission Date	

