

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3201 of 2018

Arising Out of P.S. Case No. -321 Year- 2018 Thana -KAHALGAON District- BHAGALPUR

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1. Raju Mandal @ Raj Kumar Mandal son of Late Mangal Mandal, resident of Village- Pakki Sarai, P.S. Kahalgaon (Ghogha), District- Bhagalpur.
2. Sukh Raj Mandal son of Late Mangal Mandal, resident of Village- Pakki Sarai, P.S. Kahalgaon (Ghogha), District- Bhagalpur.
3. Geeta Devi Wife of Raju Mandal @ Raj Kumar Mandal, resident of Village- Pakki Sarai, P.S. Kahalgaon (Ghogha), District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Navjot Yesu, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-10-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 19.07.2018 in A.B.P. No.1236 of 2018 passed by the learned Additional District and Sessions Judge-3rd-cum-Special Judge SC/ST, Bhagalpur in connection with Kahalgaon (Gogha) P.S. Case No. 321 of 2018 registered under Sections 366A/504 of the Indian Penal Code and Sections 3(i)(w) of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, co-accused Niraj Kumar had induced the daughter of the informant, aged about 18 years, to go with him with intent to marry with her. When the informant



complained the matter to the appellants, who are family members of Niraj Kumar, they abused. Statement of the victim girl on over all reveals matter of affairs between the victim and Niraj Kumar.

Considering the entire facts aforesaid, 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 bond of Rs.20,000 (Twenty Thousand) each 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further 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.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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