

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 3025 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -RATANPURA District- SUPAUL

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1. Naresh Kumar Yadav @ Naresh Yadav, Son of Manoj Yadav, Resident of
Village - Lalman Patti, Police Station - Ratanpura, District - Supaul.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arun, Sanjay Kumar @ S.K., Advocates

For the Respondent/s : Mr. Binay Krishna, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 17-09-2018

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 11.04.2018 in SC/ST Case No. 52 of 2018 passed by the learned 1st Additional Sessions Judge, Supaul in connection with SC/ST Case No. 52 of 2018 arising out of Ratanpura P.S. Case No. 11 of 2018 registered under Sections 341, 342, 366, 506/34 of the Indian Penal Code as well as Section 3(1)(r) of the SC/ST Act.

The appeal is barred by limitation of 20 days. The delay is explained in the petition, filed under Section 5 of the Limitation Act, vide I.A. No. 2475 of 2018. Hence, for substantial justice, the delay is condoned.

According, I.A. aforesaid stands disposed of.

Allegation against the appellant and others is of kidnapping of the daughter of the informant for the purpose of marriage. Marriage of the



victim was already settled with some other person.

The statement of the victim reveals that she has alleged the occurrence of kidnapping by the appellant and others with intent to marry with her. However, she was soon recovered by her father. She has disclosed that she is aged about 21 years.

Submission is that matter is of love affairs. Appellant is in custody since 25.04.2018. Investigation of the case is already closed.

Considering the entire facts aforesaid, 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 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/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	18.09.2018
Transmission Date	18.09.2018

