

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.185 of 2019

Arising Out of PS. Case No.-155 Year-2017 Thana- SIMRA District- West Champaran

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1. Munna Sahani @ Munna Son of Sri Paspas Sahni
 2. Pardeshi Sahani Son of Parshuram Sahani
- Both Resident of Village-Tandwalia (Tand Tola), P.S-Semra, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Smt Usha Kumari No

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 5.12.2018 passed in Semra P.S.Case No.155 of 2017 for the offences punishable under Section 366/34 of the Indian Penal Code and Section 3(i)(r)(w)(ii) of SC/ST Act by the learned 1st Addl Sessions Judge cum Special Judge, West Champaran at Bettiah whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants is of kidnapping of the minor daughter of the informant.

Submission of the learned counsel for the appellant is that the statement of the girl under Section 164 Cr.P.C. itself shows that she has married with the appellant and living with him and the medical report shows that she is major.

Heard learned Special P.P. also.



Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellants, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, West Champaran, Bettiah in connection with Anticipatory Bail Petition No.2036 of 2018 arising out of Semra P.S.Case No.155 of 2017, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

chn/-

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Transmission Date	

