

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.889 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- MEHANDIGANJ District- Patna

Munna Mehta @ Chandrashekhar Prasad Son of Late Bhola Mahto Resident of Mohalla-Begampur, Pipal Tal, Patna City, P.S.-Bypass, Dist.-Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Mosmat Dharmshila Devi, Wife of Late Vijay Chaudhary, Resident of Mohalla-Vena Shah Ka Bag, P.S.-Mehandiganj, Dist.-Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rudra Deo
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 11-04-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 02.11.2018 passed by the learned Addl. Sessions Judge IV-cum-Special Judge, SC/ST Act, Patna in ABP No. 7873 of 2018 in connection with Spl. Case No. 456 of 2018 arising out of Mehandiganj P.S.Case No. 70 of 2018 registered under Sections 323, 341, 363 and 366A of the Indian penal Code and Sections 3(x)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

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

Submission of learned counsel for the appellant is that girl has been recovered and she has stated in her statement recorded



under Section 164Cr.P.C. that she got married with the appellant and she disclosed her age as 18 years and further her matriculation certificate, which is annexure-2, shows that she was aged about 18 years at the time of occurrence.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge IV-cum-Special Judge, SC/ST Act, Patna in ABP No. 7873 of 2018 in connection with Spl. Case No. 456 of 2018 arising out of Mehandiganj P.S.Case No. 70 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

