

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4559 of 2018

Arising Out of PS. Case No.-316 Year-2018 Thana- NAUTAN District- West Champaran

Saukat Miyan Son of Babujan Miyan Resident of Village-Dawaria Makri
Tola,P.S. Nautan,Distt.-West Champaran at Bettiah

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Kishor Mishra
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

This is an appeal under Section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 08.10.2018 passed by the learned Addl. Sessions Judge 1st -cum-Special Judge, West Champaran, Bettiah in ABP No. 1659 of 2018 arising out of Nautan P.S.Case No. 316 of 2018 registered under Sections 366A/34 of the Indian penal Code, Sections 4 and 6 of the Protection of Children from Sexual Offences Act and Sections 3(i)(w)(i)(ii) 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 and when he went to search her, he was abused by the appellant.

Submission of learned counsel for the appellant is that statement of the victim girl recorded under Section 164 Cr.P.C.



shows her age is 20 years and she has stated that no kidnapping was made, she married with the appellant and went to reside with him.

Heard learned Spl. P.P and learned counsel for the appellant 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 1st-cum-Special Judge, West Champaran, Bettiah in ABP No. 1659 of 2018 arising out of Nautan P.S.Case No. 316 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	

