

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1389 of 2019

Arising Out of PS. Case No.-362 Year-2018 Thana- PAHARPUR District- East Champaran

Deepak Kumar, Son of Vinod Prasad @ Dahadi, Resident of Village- Noneya
Makhniya, P.S.- Paharpur, District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 28-05-2019 Heard learned counsel for the appellant and the State.

This is an appeal under Section 14(A) (1) and (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 07.03.2019 passed by the 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in connection with Paharpur P.S. Case No. 362 of 2018 registered under Sections 366A, 34 of the Indian Penal Code, Sections 3(1)(R)(W) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Sections 8/12 of the POCSO Act.

Learned counsel for the appellant submits that the appellant has got no criminal antecedent. Referring to the statement of the victim recorded under Section 164 Cr.P.C.,



learned counsel submits that the victim has voluntarily joined the wedlock with the petitioner and there is no case of kidnapping. The appellant is in custody since 05.01.2019.

Considering the statement of the victim recorded under Section 164 of the Cr.P.C., the appellant, named above, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in connection with Paharpur P.S. Case No. 362 of 2018.

(Anil Kumar Upadhyay, J)

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