

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1419 of 2019**

Arising Out of PS. Case No.-81 Year-2018 Thana- SC/ST District- Jamui

=====

AMIT KUMAR Son of Dinesh Rajak Resident of Village - Bangama, P.S.-
Simultalla, Distt - Jamui.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Pankaj Kumar Sinha
For the Respondent/s : Mr.Binay Krishna

=====

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 02-07-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

The appellant seeks pre-arrest bail in connection with
Jamui SC/ST P.S. Case No. 81 of 2018 registered under Sections
364, 376 and 511 of the Indian Penal Code and Section 3(1)(X)
of the SC/ST Act.

Appellant along with Laddu Sao is said to have
kidnapped the married daughter of the informant on Maruti Van
slating her in the name of her caste with intent to commit her
murder.

It is submitted by learned counsel for the appellant
that no such occurrence as alleged ever took place. Appellant
has been falsely implicated in the case. As a matter of fact,



victim happens to be married woman and major. She was in love with the appellant and suo motu eloped with him and performed marriage with him and the victim in her statement recorded under Section 164 Cr.P.C. has stated that she went to Jaipur with the appellant on his call and both performed marriage there. She wants to live with the appellant as her first husband does not keep her properly. She has not stated about her kidnapping by the appellant. Appellant also happens to be member of Scheduled Caste, hence no offence under SC/ST Act is made out against the appellant.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellant, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. District and Sessions Judge, Jamui in connection with Jamui SC/ST P.S. Case No. 81 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and



appeal is allowed.

(Prakash Chandra Jaiswal, J)

mantreshwar/-

U		T	
---	--	---	--

