

Arising Out of PS. Case No.-64 Year-2018 Thana- JADOPUR District- Gopalganj

- Appellants.

Versus

The State of Bihar.

... .. Respondent/s

For the Appellant/s : Mr. Indrajeet Bhushan
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 02-07-2019

Heard learned counsel for the appellants and

learned Special Public Prosecutor for the State.

The appellants seek pre-arrest bail in connection with Jadopur P.S. Case No. 64 of 2018 registered under Section 366-A/34 of the Indian Penal Code and Section 3 (1) (s) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellants along with Aftab Mian and Mustafa Mian are said to have kidnapped the minor daughters of the informant, namely, Chanda Kumari and Pooja Kumari with an intent to perform marriage with



them.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to dirty village politics. Victim Chanda Kumari in her statement made under Section 164 Cr.P.C. has candidly stated that she was in talking terms with Aftab Mian and suo motu left with him along with her sister Pooja Kumari. Neither Chanda Kumari nor Pooja Kumari has stated about their kidnapping by the appellants. Appellants have no criminal antecedent. Said Aftab Mian has been enlarged on bail by a coordinate Bench of this Court vide judgment dated 17.01.2019 passed in Criminal Appeal (SJ) No.4455 of 2018. Appellants have no criminal antecedent.

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

In the facts and circumstances of the case, the above named appellants are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl.



Sessions Judge cum Special Judge, Gopalganj in connection with Jadopur P.S. Case No.64 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 this appeal is allowed.

(Prakash Chandra Jaiswal, J)

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