

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2073 of 2019

Arising Out of PS. Case No.-637 Year-2018 Thana- AMARPUR District- Banka

ARBIND YADAV @ ARAPIT KUMAR YADAV @ ARPIT YADAV Son of
Late Lalmuni Yadav Resident of Village- Kutubganj, P.S. Babanganj, District-
Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Nandad Prasad
For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

3 10-07-2019 Heard learned counsel for the appellant and
learned Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for bail vide order dated
23.04.2019 passed by learned 1st Addl. Sessions Judge, Banka in
Amarpur P.S. Case No. 637 of 2018 registered under Sections
419, 420, 493, 496 and 376 of the Indian Penal Code and
Sections 3(i)(r)(w) of the SC/ST Act.

Daughter of the informant aged about 18 years
had left her house due to family feud and met with the appellant
at Bhagalpur Station where they developed intimacy and
subsequently performed marriage in the temple. Thereafter the
appellant arrived at the house of the informant and lived there



for sometime and later on made good his escape taking Rs.35000/- from the informant.

It is submitted by learned counsel for the appellant that the appellant has been falsely implicated in the case due to ulterior motive. Victim happens to be major as per the version of the informant himself and she performed marriage with the appellant out of her sweet will. Though the victim in her statement recorded under Section 164 Cr.P.C. has stated that the appellant has performed marriage with her deceiving her as he is already married but there is no averment in the written report about performing marriage with her by the appellant deceiving her hence said statement appears to be after thought. Appellant is ready to return back the aforesaid money taken from the informant. He has been languishing in custody since 20.01.2019

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

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail 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. Sessions Judge, Banka in Amarapur P.S. Case No. 637 of 2018.



Learned lower court is directed to accept the bail bond of the appellant on filing the receipt of according Rs.35000/- by the appellant to the informant.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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