

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3590 of 2019

Arising Out of PS. Case No.-377 Year-2017 Thana- PATORI District- Samastipur

DIN DAYAL SINGH S/o Ramnandan Singh R/o village- Bikrampur Bande ,
P.S.- Patori, District- Samastipur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kamlesh Kumar Pathak
For the Respondent/s : Mr.Binay Krishna

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

ORAL ORDER

3 05-11-2019 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 24.06.2019 passed by learned Special Judge, SC/ST Act, Samastipur in Patori P.S. Case No. 377 of 2017 registered under Sections 363, 366(A)/34 and 120(B) of the Indian Penal Code.

Minor daughter of the informant is said to have been kidnapped by the appellant in association of his family members with intent to perform marriage with her.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, victim is major and she suo motu left with the appellant



and performed marriage with him out of her sweet will. Victim in her statement recorded under Section 164 Cr.P.C. has candidly stated that she has performed marriage with the petitioner in temple in Tamilnadu out of her sweet will without any undue pressure. Though on medical examination of the victim, doctor has found her age between 16½ years – 17½ years, but she is major. Appellant has no criminal antecedent and has been languishing in custody since 24.04.2019.

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 Special Judge, SC/ST Act, Samastipur in connection with Patori P.S. Case No. 377 of 2017.

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

(Prakash Chandra Jaiswal, J)

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