

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4805 of 2018

Arising Out of PS. Case No.-108 Year-2018 Thana- MIRGANJ District- Gopalganj

Jeetu Prasad @ Jitu Prasad @ Akash Kumar Gupta, son of Sonalal Prasad,
resident of Mirganj South Mohalla, Ward No. 5, Police Station- Mirganj,
District- Gopalganj.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lokesh Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-01-2019 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by order dated 28.11.2018 passed by the 1st Additional Sessions Judge, Gopalganj in connection with Mirganj P.S. Case No.108 of 2018 registered under Sections 363 and 366(A) of the Indian Penal Code and Section 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Informant who is father of the victim girl has alleged in his written complaint that his daughter is 18 years old and she was enticed by the appellant and his family members.

The victim girl was recovered and in her statement



recorded under Section 164 Cr.P.C. she had stated that she had gone with the appellant with her own volition and sweet will and, thereafter, they also solemnized marriage. Appellant has no criminal antecedent and he is in custody since 02.05.2018.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with the aforesaid case, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.



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

(S. Kumar, J)

Sanjay/-

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